

The City Council of the City of Charlotte, North Carolina convened for an Action Review on Monday, November 22, 2021, at 5:04 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Dimple Ajmera, Tariq Bokhari, Ed Driggs, Larken Egleston, Julie Eiselt, Malcolm Graham, Matt Newton, Greg Phipps, and Braxton Winston II.

**ABSENT UNTIL NOTED:** Councilmembers Renee Johnson and Victoria Watlington.

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**Mayor Lyles** welcomed everyone to the November 22, 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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### INVOCATION AND PLEDGE

Councilmember Eiselt gave the Invocation and the Pledge of Allegiance to the Flag was led by the full Council.

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

**Marie Harris, Strategy and Budget** said, Mr. Phipps. I don't know if you got a chance to look over the responses to your questions are included. If you had any additional questions or anybody else had any consent item questions.

**Councilmember Phipps** said no I didn't. [inaudible]

Mayor Lyles said the staff would like to remove Item No. 43 that will come back to us in a later item. So, with that, before we will go to the agenda for the action review. I will turn it over to the City Manager for the Agenda Overview.

**Councilmembers Johnson & Watlington joined at 5:08 p.m.**

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

**Marcus Jones, City Manager** said we have three items on the agenda for tonight. One is a report out on the Mayor's Racial Equity Initiative. Secondly, we have a COVID-19 update. There are a couple of things we'd like to share with the Council. Then lastly, Dana Fenton, if we have time here or either before we bring up the State and Federal Legislative Agenda, I will give you a quick update on the State Powell Bill allocation.

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### ITEM NO. 3: MAYOR'S RACIAL EQUITY INITIATIVE REPORT

**Marcus Jones, City Manager** said today we'll tag team. I have a short presentation to provide you with an update on the Mayor's Racial Equity Initiative Report. This was on, I believe, the last 30-Day memo. I'll start off, but we also have Janet Labar from the Charlotte Regional Business Alliance. They will talk a little bit at the end about the private sector and the governance that relates to this initiative.

So, again, one of the things we'd like to do to start off with the purpose of the presentation. Janet is really going to focus on the background of the creation of this initiative, as well

as provide some details as relates to the private sector in philanthropic investments. However, I'd like to start off by talking about the public sector-specific to this city's programs and initiatives as it relates to that November announcement. A little bit of the details on this on the city funds. I think you've seen this slide before. We may actually come back to it.

I want to focus on the top two rows, which deal with two of the four workstreams, the Corridors of Opportunity and the Digital Inclusion Work Stream. I'm going to focus specifically on that black box, which is the public sector involvement, but specifically, the City of Charlotte, \$62 million, as it relates to the Corridors of Opportunity, and \$10 million as it relates to Digital Inclusion. Then, later on, Janet will talk a bit more about the JCSU (Johnson C. Smith University) and the employer commitment piece.

I think the most important thing, is the bottom line upfront, as we deal with that box of the city funds. There are a couple of principles that are extremely important is that this Council is the oversight board, if you will, of all the city funds that are related to the Corridors of Opportunity and whatever occurs in terms of Digital Inclusion. It's also important that I put this out front that no city funds for the Digital Inclusion will be spent until the City Council approves of a plan.

If we go to the next slide, I want to talk a little bit about the corridors. I think this is important because prior to, I guess, January of 2020, the city really didn't talk about these corridors. It was actually, I'll never forget. It was Councilmember Graham when he was sworn in, talking about shiny toys and things that happened Uptown but not necessarily what's happening in our corridors across the city. A month later, if you will recall, Taiwo and Tracy started to talk about a different approach to advancing these corridors, but also some of our larger areas of business where jobs were being created, and areas were flourishing.

So, for FY2021, we really had two pots of money, if you will. It was \$10 million that we used from a series of closing out projects, carrying over funds from the previous year because there was nothing that really just didn't exist prior to the FY21 budget. We also had \$14.5 million set aside in the CIP (Capital Investment Plan) in this color coordination here is basically starting off with the two corridors that were a little bit further ahead than any other corridors. The Beatties Ford Road was the further ahead because there had been a series of discussions around a playbook if you will, Urban Main and West Boulevard, which actually had a West Boulevard Playbook. We have taken from that. I apologize to you, Ms. Watlington, but we've taken that playbook concept and said that each corridor has its own needs. So, there's community engagement that comes in. These other four corridors are working on their playbook.

So, let's fast forward to the current fiscal year. So, Beatties Ford Road and West Boulevard, where the bulk of that first allotment of funds that \$24.5 million was in. Now we move over to I-85 and Sugar Creek and Central Avenue and Albemarle where their playbooks are being developed as we speak. I think Ms. Johnson, you have been involved in much of what's been going on I-85 and Sugar Creek. As you look back and see what comes out of these, they'll be very different than Beatties Ford Road and West Boulevard.

Then lastly, Mr. Phipps, I guess you asked this question the last time we were together, and you said, "we're not really going fast enough with these corridors". But to some extent, it was because if you go back to FY21, no money existed, we had to carve out some capacity in the CIP and we had to take some funds that we rolled over from the previous year. So, when we fast forward to FY2023, there's a planned \$10 million and I'm saying just planned, \$10 million for the 2022 bond. That's related to the corridors more so infrastructure, not what you see in the cash if you will, the PAYGO (Pay-As-You-Go), like economic development and housing opportunities, safety opportunities, even transit opportunities. If I added one more, but this is only coming from the budget presentation, if I added one more column, I would add FY25. Because in FY25, there are \$10 million planned in CIP for the corridors, but this is the universe of the corridor, or was the universe of the corridors if we go back to May of this year.

I think you've seen this before. I wanted to put the context with that. In this context is as you see, no additional funding right now for the upcoming fiscal years relates to the corridors outside of the CIP. Nothing beyond that with two of the six corridors, not even beginning their playbooks if you will, up to this point.

If we go to the next slide, this was the breakdown, which you've seen before. Again, starting in FY2021 we had that \$14.5 million in the bond, FY21, \$10 million in PAYGO. Then we talked a bit about what else are we doing in the corridors, and we have that \$250,000, which we split with the county, which deals with the violence interruption program. Again, starting off on Beatties Ford Road, Cure Violence, as well as a million dollars in the Safe Charlotte Grants. The first time that we did this, focusing on the corridors, we had 17 different entities that actually applied for those grants, and have begun implementation.

In terms of the CARES ACT (Coronavirus Aid, Relief, and Economic Security) funds in the corridors, we also had \$1.5 million for internet access, and devices in a little bit of training, which I'll talk about a little bit more later. But that \$1.5 million is a part of the Cares Funds. Then as I mentioned earlier, FY2022, the \$14 million in PAYGO which we separated that for \$7 million to relate to housing. We talked a lot about anti-displacement. We talked a lot about staying in place. There are two separate commissions, if you will, for a task force that the Council recently approved as it relates to infrastructure. And it relates to anti-displacement. All of that would be used to inform the staff how to help the Council go about using some of these funds that are set aside in the corridors. Seven million dollars will also be related to economic development.

Lastly, as I mentioned, the bonds for 2022 and 2024, which are clearly planned, that they're not approved. But those are what we have in the outlook of the CIP. Much like we have roads and the outlook of the CIP and sidewalk projects and things of that nature.

If we go back to the FY2022 message, one of the keys is that as we were talking about the corridors, we would have support for economic development efforts, which would include these public-private partnerships. Maybe just as important towards the end, we would again, try to grow this team to include the private sector, nonprofits, philanthropic community partners, because we really didn't have funding planned in the out years for the corridors and were only a third of the way through the corridors.

I'll go back to where we were with that \$1.5 million, as I mentioned earlier, that \$1.5 million in internet access and public Wi-Fi from the Cares Funds. What we did with that is we also had a million dollars that you may recall that we sent to the schools- let me back up, we partnered with the schools because there were so many individuals who didn't have devices. These were hotspots. We all agreed not the best way to do this. But what it was, was kind of sort of plugging this gap. If you go back up to the \$1.5 million, that and I really, appreciate the work from our CIO (Chief Information Officer), Renee Askew, because, in areas near the corridors, we were able to touch almost 2000 households in four public spaces to receive free internet access. As you start to look at this access, Charlotte initiative, there are many pieces of it that's very similar to what I'll talk to you about with Digital Inclusion.

So, building off of Access Charlotte, when Shawn came to you in July and talked about the \$60 million of investment, one of the keys under community vitality was that many of you talked to me about the YMCA (Young Men's Christian Association) right. Under that same bucket, there was this concept of Digital Inclusion. It was important to leverage additional community resources with that. I think as we started to talk with you, one of the things that was important to the Council was to make sure that we were leveraging our funds, working with other public entities, such as the county and the school system. I want to really thank Shawn for the hard work there, trying to continue to see if we could build something together.

Under the \$24 million that I alluded to previously, that \$10 million, it was always there for digital inclusion. We said up to \$10 million contingent upon outcomes of collective impact discussions in support of Internet access devices and digital literacy. So, the concept was,

could we do something? Could we do something better than hotspots? Could we do something based on the input that the Council has been giving us as to build something that's kind of special? So, in the Digital Inclusion piece, we take that \$3.25 million from the Cares Funds and the \$10 million from the ARPA (American Rescue Plan Act) investments are very similar to internet access internet devices, digital literacy. If the Council decided to basically say, let's just stick with what we begin to build under Access Charlotte, is there some kind of way that you could scale that up? There's clearly an opportunity with the \$10 million. However, if there is an opportunity to bring in other resources from the private sector and other public sector dollars, to also scale up or build something that's totally unique in our corridors, there is that opportunity there. As I mentioned early, no city funds from Digital Inclusion will be spent until the city approves a plan.

I've spent a bit of time talking about the public sector involvement, specifically the city as it relates to these workstreams. Now I'd like to turn it over to Janet Lebar. She has a couple of slides to just talk a bit about the private sector and the foundations and how those funds would work. Again, the content would always be all of those funds, the \$72 million that's associated with the City, as in total control by the City and in the City Council, and not where Janet is about to go.

**Janet Lebar, Charlotte Regional Business Alliance** said thank you again for the opportunity to share with you some of the next steps following the announcement of the Racial Equity Initiative that we launched earlier this month at Johnson C. Smith University. Before I jump in, I just want to thank all of you for the leadership that you have provided in working to make Charlotte an inclusive city. As was just outlined, you have together as one Council, and also individually as community leaders demonstrated that you value and you prioritize equity. So, through actions that you've taken as a Council, you locked arms together to serve residents and those most in need across our city. I'm very proud that this public-private partnership for an equitable Charlotte expands on the work that you've done.

Last year, the Charlotte Executive Leadership Council established a corporate response team that was co-led by myself and Malcolm Kohli, who is a member of the CELC. He is in leadership at the Charlotte Regional Business Alliance, to really develop a plan to build on the city's ongoing efforts by engaging the business community and in turn a broader commitment to advancing racial equity. Then the Foundation for the Carolinas spearheaded a fundraising campaign to secure pledges from local companies and foundations in support of this initiative.

So, as Marcus mentioned, I'm going to talk a little bit about the governance and the structure here. I just want to note here that it's really critical to ensure that there is in fact governance in place so that we have a coordinated and consolidated reporting of progress to the community and to the businesses who have stepped up in this effort. So, following the announcement, we have been working to establish two oversight boards. One is dedicated to the transformation of Johnson C. Smith University and the other is dedicated to the three remaining focus areas which are Digital Divide, Corridors of Opportunity, and employer commitment. The framework that has been established for each focus area or as we have called them to date "Workstreams" have come from the participation of more than 90 plus willing, volunteer companies and organizations that have really spent the last year plus thinking through ideas and solutions that will advance racial equity in our community. To date, we have been focused on a corporate response. Moving forward, we will be broadening our engagement to include more members in our community. The primary responsibility of the oversight boards will be to monitor, measure and disperse the private sector and philanthropic funding to each one of these priority areas. Then as you can see on this chart here again, as Manager Jones just mentioned, there will be city funds that the city will control and disperse at the time, that's appropriate. The milestones that the oversight boards, managing the philanthropic and the private sector funding will be again, at Milestone areas as metrics are met and as needs within each one of these workstreams are then elaborated on.

I do want to go into a little bit more detail about each one of these in case you are not familiar with them. Then I'm happy to take any questions. Then I'm joined by my professional colleagues, Brad Wallace from EY and Bruce Clark, who are here to talk about the Digital Divide if there are any specific questions and I think Tracy Dodson, or perhaps Manager Jones can answer questions about the Corridors of Opportunity. So, when it comes to Johnson, C. Smith, the goal here is around elevating JCSU as a top 10 HBCU (Historically Black College and University). The plan is really again to strengthen academic excellence, deliver strong career outcomes, and launch a seamless academic pathway for its students. The university in this plan calls for the establishment of five new academic offerings that fill some of the greatest needs for Charlotte's employers. These include finance, retail, pre-med, data analytics, and computer science. Students are going to be exposed to internships beginning their freshman year, and then they'll have close ties with the Charlotte business community that will be established throughout the programming and the curriculum.

Investing in corridors, again, Manager Jones just gave a detailed overview of that from the City's perspective. From the private sector perspective, we hope to bring more improved access to employment, better connectivity to workforce services, and resources that help strengthen these neighborhoods. There is a debt-equity solution that will enable corporations to come to the table to provide more equitable access to capital for black and brown business owners through a more flexible lending platform. Direct grants will also be made available to small businesses in the corridors to bridge gaps and open new doors. We just had that fabulous announcement last Friday from Wells Fargo. On the digital divide, we will ensure that our communities, our neighbors, our friends, our businesses, and our youth and their families have the modern tools needed to thrive. That requires really, the know-how to be literate in fundamentals like the internet, a computer, digital and information skills.

Then finally, employer commitment. This is really broken down into three areas, first-round people advancing black and brown talent into senior-level positions into the C-suite and on to corporate boards. The second is around pipelines. So, expanding our workforce pipelines, again for black and brown talent, helping them to earn the credentials and learning experiences they need in high-demand careers. Then third, finally in a partner, so investing in supplier diversity and deepening our minority-owned supplier relationships between employers.

So, that's all I have for this evening; happy to answer questions. I will just say it was really a privilege to be working alongside the business community and our partners here at the city to advance this work. It's tremendous, it is unparalleled in the country. I'm very grateful for the opportunity to be a partner with you.

Mayor Lyles said thank you very much, Janet, for the explanation of the four workstreams and the rationale, and the participation by the corporations.

**Councilmember Driggs** said the explanations where we've heard describe a private fundraising process and an assignment of public funds. It's made to sound as if these were independent of each other. I assume that they are in fact, interdependent. I mean, if we didn't put up the public money, is it fair to assume that the private money wouldn't be there either. The intent of this is that it's a joint venture.

Mr. Jones said definitely, as related to the fundraising from the private sector perspective, having knowledge that the city, for instance, with corridors had invested so much in corridors was important, not only in the money that's been invested and actually spent, but also that there's a longer-term plan as it relates to corridors. So yes, the concept of the city having made these investments, especially in the corridors was important.

Mr. Driggs said I think, Ms. Lebar, you were talking about sort of the governance. Are there going to be milestones or conditions or ways in which the administration of these two programs are interdependent? Like is the access to the private money going to depend on the City's performance or disbursements of the public piece?

Ms. Lebar said Councilmember Driggs, in short, to answer your question, it is a public-private partnership. I think that's fair to say, where you see the boxes below that oversight board on the far right, for example, where that has a combined structure of Digital Divide employer commitment and Corridors of Opportunity. Where those workstreams live, there will be, a whether you call them committees, advisory councils, you can see there and under corridors, there will be an advisory council that the City of Charlotte will establish where again, milestones, metrics on what the City has deemed as priorities and objectives within the corridors will be needed in order for the money to be dispersed. Now, I think the separation that maybe you heard in my presentation is because, you know, the oversight boards will definitely control the private sector philanthropic dollars that come into the initiative. I think the cooperation and the partnership come from the working level committees where there will be city government. I believe you had a bullet on a prior slide. Manager Jones, of the city, is involved on these working committees on these Advisory Councils, etc. And again, we have not yet finished populating the oversight boards. So, we're certainly absolutely willing to have some representation on these boards as well from the city.

Mr. Driggs said so, the Manager assured us in the first slides that Council would have the opportunity, I guess, to approve, but at the same time, our freedom to do that is kind of limited to the extent that we can't fail to go along with this agreement without risking breaking it all up. I think the goals are undisputed, right, I think we're fine on that. I'm just wondering operationally, how it works going forward, and whether the Council is really going to be able to make a decision, a choice about the use of funds, when this framework is already out there. It feels to me like if we try to deviate from this framework we're going to look like we're not supportive of the program, which we are or we're going to jeopardize our relationship with the private sector. It feels that we're kind of locked in at this point and whether or not we really have a lot of latitudes to decide about the future use of those corridor funds because I don't know as much as I would like to about what in particular, the corridor funds are going to be used for. I was looking forward to the possibility of learning more about the projects, the roads, the kind of specific uses that we had in mind for that money because in my mind there are issues. There are issues like if you make large investments in certain areas, you make those areas safer and more attractive, the risk of gentrification is a big issue. A lot of these areas are in very good locations and the minute it starts to look like they are desirable places for higher-income families, we could have an unintended consequence. So, I just think there's a lot more that we need to talk about in order to finalize our commitment and to be confident that the goals of the plan are actually going to be met. I guess what I'm looking forward to is learning in more detail about this governance situation. Thank you.

**Councilmember Johnson** said thank you for the presentation. I'd like to thank the private corporations that have pledged this funding. I think it's a great project. We're excited. This Council is committed to racial equity. I think the concern for some Councilmembers has been the process. As Councilmember Driggs stated. So, what you or the public may not know is there are developments or items where Council gets numerous briefings. We have presentations, we have small group meetings, we get numerous briefings on issues. So, I think that the concern has been the communication with the Council on this issue. It's not the issue itself. Our public votes for us and expects us to make informed decisions, and not be in positions where we don't. Whereas Councilmember Driggs said, feel like we have a choice. It's not the issue. We're all supportive of racial equity and improving the community. I-85 and Sugar Creek is one of those I've been fighting for. So, I'm excited and in support of the project. It's the process.

I've been accused as a Councilmember of getting into the weeds and not staying at that 30,000-foot level. But this is the reason why. So, the Council does need to feel informed on decisions, because we are the stewards of public dollars. So, I think that that's the issue. Again, I applaud the private corporations and the commitment to equity, also the Mayor and the committee, and the creativity. But it's the process from a Council perspective that I think is what you're hearing. So again, thank you for the presentation. Thank you.

**Councilmember Graham** said I don't have a question. I just kind of have a quick comment to make. Hopefully, I can make it in two minutes. I won't talk very long. One of the things that really hadn't happened around this dais as of yet is to really in a very sincere and open way to say thank you, right. The \$250 million gifts in addition to the announcement last week by Wells Fargo and Fifth Third Bank prior to the announcement is extraordinary. Its complexity and the way it was brought forward to the table by the Mayor. When I was first at this dais years ago, a lot of these activities started in the corporate community. Public-private Partnership is the hallmark of the City of Charlotte. It's how we built the city. The Mayor at that point, when I was there from 1990 to 2005 really didn't have to do a whole lot.

As I told one of the Mayor's predecessor, just drives the car and don't wreck it. The corporate community was his GPS (Global Positioning System). Pam [inaudible] ran the city and he was surrounded by a progressive Democratic City Council. So, just drive the car and don't wreck it. Fast forward, the Mayor has to be intimately involved in working with the private community in a more direct way, versus 1015 years ago, because the private community interests are international now. No one's just thinking specifically about Charlotte each and every day. Fifteen/twenty years ago, they all thought about Charlotte each and every day. So, I want to thank the Mayor for providing the leadership on this initiative, in terms of bringing the public and the private community together for something that is really, really, really good. Investing in the Corridors Of Opportunity, making sure that the private dollars can start with a public dollar stop. They help a lot of minority developers and business owners and residents and all these corridors that need help. Certainly, the investment in Johnson C. Smith University, a strong Beatties Ford Road, and the weak Johnson C. Smith doesn't make a whole lot of sense. A strong Johnson C. Smith and the weak strong Beatties Ford Road don't make a whole lot of sense. So, the fact that these dollars are working together to ensure that the corridor is strong and vibrant, that we protect history and tradition, but at the same time we strengthen Johnson C. Smith University for workforce preparedness and all those things that come along with it. They should be the fuel that provides the growth for that corridor. I'm really excited about as well as all the other initiatives. So, the devil is always in the details. The presentations could be made better. But I don't think that we should overlook the investment that's been made in the community by the corporate community to really touch on all the topics we've talked about from my perspective, indirectly and directly over the past 18 months. So, I just want to say thank you.

**Councilmember Bokhari** said do you have more presentations? Was this just Janet Lebar's piece? Are we answering those or we're asking all questions now?

Mayor Lyles said all questions.

Mr. Bokhari said I just need to put this in context for everyone because looking at this presentation makes it difficult to understand the winding road that brought us here today. To be clear this agenda item today was put on today's Council Agenda by the City Manager right after we got back from the retreat, because of actions several of us took around what had gone down over the retreat over the past year. We want to figure out how this Council was positioned, managed, and misled in our part of \$72 million, taxpayer dollars, that we were elected to be accountable for, yet we learned about how many of them were positioned and structured on the stage of that Mayor's initiative announcement. So, that's what tonight is about. I want to be real clear. That's the first step. We have steps that we're now working on together as a Council behind the scenes. The next step is going to be to partner with the private sector more directly to lift them up. We need to be real clear tonight. We are so appreciative of our private sector partners, many of which we're doing this work before any of this came out and we're planning it. Some of which were inspired because of the group action. But the bottom line is, we love that part and we cannot wait to work directly with you all to make some of these things you've been building a reality. But that is not what tonight is about. Tonight, is about us figuring out exactly how we were misled and potentially lied to in some parts and what laws and protocols were broken to get us to this point. So, we have never repeated these mistakes before.

If I can just recap very quickly, here's what you need to know if you're out there in the viewing audience as a voter as a citizen and this seems complicated, it's really, really simple when you boil it down. On July 19, the staff sat in front of us with the ARPA (American Rescue Plan Act) money. That's after the CARES money. It's the second round of federal money that's designed to help cities like ours and the entire country to rebound from what was going on in this COVID (mild to severe respiratory infection caused by the coronavirus) economic crisis that we were in. Particularly small businesses. They presented us that list of everything that was there much in the same form you see it today. It had breakouts and we said, "Yeah, we like it. Okay, let's get us some more details so we can get this money out the door urgently." Then three months goes by and we were all sitting having discussions and we were trying to relay, "Hey, this is urgent, why aren't we addressing this with urgency, this money is here." It never made sense. We never got complete, crisp answers. Then on October 26th, we sat at that retreat in Winston Salem, and a presentation was given to us. Nearly the identical presentation we had seen over three months earlier and it was on the agenda as an update. We were like, "alright, maybe we'll have a robust conversation, and finally make it happen". We were surprised with a vote. We were told, when asked, we couldn't see any more detail.

Now you don't want to take my word for it. This is all online, you can go to YouTube, the City of Charlotte's Facebook page, and you could go find the YouTube video City Of Charlotte Fall Strategy Meeting, October 26, 2021. If you fast forward to the two-hour five-minute 22nd mark, you will see as this topic comes up on the agenda for an update, the Mayor and the Manager go back and forth with what I can only imagine as a scripted conversation of would it be better if we voted on this today? "Well, yeah, that would help. Okay, let's vote". There's a second. Then we have a dialogue and if you fast forward to the two-hour and 19-minute mark, to 2:21:30, you will see as we go back and forth finally as we're being forced into a vote, we're having the dialog of "well, all we see is buckets of huge amounts of money. We don't want to slow this down because that's how we were being positioned. But can we vote yes? Then they come back to us with details of where it needs to go?" The answer was crisp, which was no if I have to bring it back to you all, this just can't work. Let me translate that, you vote now we'll let you know when the money's out there, wherever it ends up going, which we have no idea where it went. It's Brewster's millions approach to COVID and CARES Act dollars, which is once you spend it all you won. That is unacceptable given the stakes of what we're dealing with right now.

So, today, as we come back into all this, we had that serious meeting with the Manager, several of us leading up to this, and we had him place this on the agenda so we could get to the bottom of it tonight. I will tell you if we hadn't put that pressure, we wouldn't be having this kind of discussion right now that we're all having. So, today we heard from the Manager, there's no Digital Inclusion money that's going to be spent without Council approval. That's fantastic. That's because of our last three weeks of work. Cause that wasn't the position when they tricked us into voting for it. Seventy-two million is controlled by the Council. Well, it is now that we made everyone aware of what has happened here. This is because of what we've done since the retreat.

So, the reality today is we still have no actual idea what the plans are for this money. The good first step we made is, well Council, we're not going to roll out the door until we bring something back to you to look at. That's a huge step, but we also don't know what promises have been made to folks with existing future corridor dollars to make this public-private partnership work with that \$10 million of money for Digital Inclusion. We don't know exactly what's been talked about behind closed doors. We know the private sector has done a hell of a job with their plan. Fact, that plan will probably transform this community in the city long term, but that has nothing to do with this \$10 million that literally we were tricked into voting for so that they could stand on that stage and call it the Mayor's initiative and call it a public-private partnership and that is a fact. Go back and look at the video there.

So, now we get to this point where we try to figure out what we're going to do. We've got to figure out, Congressman [inaudible] has asked some very important questions. I don't necessarily think that anyone was dumb enough to go break the law and get themselves faced with jail time. But I don't know that any more than anyone else who hasn't actually



seen anything. The point is we need to see what's going on and what promises have been made to answer those questions. I think what we'll find out once we get to the end of that is unless I'm shocked and there was something very devious. It's going to be a really simple set of two scenarios that occur. One this is regular ARPA and Cares Act money that we put to work that's all out there and this was branded by the Mayor to be a Racial Equity Initiative or two, this money was used as a Racial Equity Initiative and it was designed for something which was COVID relief, and then it's illegal.

So, it's only one of two scenarios when you boil down all the explanations. It was either branded in a marketing exercise for something it wasn't, or something bad happen. All we need to get past this point is to figure out answers to these questions.

So, I have a quick question for the City Attorney and I think we can move forward hopefully, with answers to some of these very critical questions. Mr. Attorney, my question to you is, if you go back and see how things were positioned, again, that's for the public to the lookout. But if you go back to our agenda that was listed as again, item number four for our agenda, financial conditions, with the sub number ARPA Update, that was something that was listed as an update, not an action for our formal policy. We were surprised with the vote. So, was that not compliant with our City of Charlotte procedures that have noticed of action required for the public to have at least 48 hours to know we're voting on anything? Let alone over \$16 million going out the door. Does that make it a valid vote?

**Patrick Baker, City Attorney** said so, the answer to your question Councilmember Bokhari is, and I have pulled up the agenda. So, I have it in front of me as well. It's a financial condition and then it has the two things Budget Outlook and ARPA Update. The ARPA update if you click on the PowerPoint presentation. I do not see in this particular agenda, a specific reference to a motion or a vote that's going to occur. What I see here is an ARPA Update. This is a conversation that I've had with Councilmembers on and off about what's on the agenda and what the expectations are going forward. I would say from my perspective as a lawyer in terms of wanting to make sure that everything is very precise, I would say that things that you want to do motions that you want to take, it'd be my preference that they're on the actual agenda. Obviously, there's a couple of things here: a legal issue, and a procedural issue from a legal perspective there is no statute that even says that you have to have an agenda. It simply allows you to, it requires you to put forth the date-time notice of the meeting, but the agenda issue is really a part of your Council procedures that we've had some challenges with, in terms of motions that come together. It would be my recommendation that if you're going to actually take an action, that action be on your agenda going forward.

Mr. Bokhari said understood. That's exactly what I thought you were going to say. So, we don't really need to take action right now. Our action before was not compliant with our policies and no matter what, we've got to do that action again. So, I think that puts us without putting anyone in a position to have to vote or do anything in the right spot, which is the private sector, we appreciate you, we're now at the table and aware of what's happening. We want to work with you. But that's going to be together urgently, but we're going to vote on any of these dollars in a compliant way with our procedures before they head out the door. I think I'm going to close with this. Why do we keep saying, "Well, I think in hindsight, we probably could have done it better, or done this a little more optimal"? The point is this until we start operating aboveboard in good faith to solve the problems of these 10,000 plus small businesses that are dying for the COVID recovery that we sat for the last four months, not addressing, we should all be working on these things now and fixing them so we can move forward with things like Mr. Winston is going to talk about which is actually having an equity framework in place. All the things that we've talked a lot about with the private sector made claims that exist, but it actually isn't there. That's when you engage the strong Council, the 11 people that have votes here directly will partner with you to make even better outcomes occur. Thank you.

**Councilmember Winston** said Ms. Lebar, I have one question for you. You mentioned that there were 90 volunteer companies that came together. What was the framework

used to allow or disallow local companies from entering into this public-private partnership framework?

Ms. Lebar said there weren't specific criteria, Councilmember Winston. It was an open invitation. Admittedly, we started with members of the Charlotte Executive Leadership Council. Then when the alliance was brought in, it was expanded to our investor and our membership base as well. Moving forward as I mentioned again, this was a corporate response. So, there was a business community component to it. I'm well aware that we have work to do to make sure that we're engaging more of the neighborhoods, more of the community-based organizations so we have work to do there.

Mr. Winston said words matter greatly. This meeting, the words of this governing body matter immensely to this spectrum of our constituencies. My concern is that the words of the Mayor's Racial Equity Initiative, they're very powerful. They bring a certain sentiment and they bring a sense of buy-in from many different folks in our community. But I'm concerned, my concern is that those words are not as full as they could be that they ring hollow, and they can confuse our partners who have bought into the idea of a public-private partnership around racial equity work, and it makes empty promises to our citizens who need to benefit from any type of equity work. To be plain, Charlotte City Council has not created, considered, or pass an equity policy of any sort that guides our policy development. This is something that I've wanted for us to do for a long time. We just have not done it. We've approached it right. But we have not done it. Corridors of Opportunity is not an equity policy. That is not something that was the umbrella to that work. It was said in our presentation that Corridors of Opportunity were adopted at the beginning of 2020, which might be true, but that's not where the work originated.

The work originated really in 2017. I think it was December when we had a meeting in this room before we ever had our first business meeting done in the chamber. Councilmembers Mitchell and Harlow brought forward this policy that needed to happen real fast around opportunity zones. We passed that policy and the Council had a lot of questions. We had a lot of meetings bringing folks down from the White House and other branches, executive branches of the Federal Government, and also from the Fed, to explain to us that these opportunities zones were actually not a policy that we control, right. This was a relationship between large amounts of capital and the IRS (Internal Revenue Service). With this large amount of capital, people with these opportunity funds would invest in these opportunities' zones, and therefore be able to delay their capital gains tax over the generations. We realize that, hey, we don't have any way of controlling what gets invested and what happens if it doesn't happen. So, we started to go into work to say, "Hey, what are the things that we can do?" We can think about how we do our capital investment policies; we can think about how our planning policies intersect or don't intersect with our economic development policies. That was a big part of why the initial conversations when we hired both our Planning Director, as well as Economic Development Director.

It was also thinking about when Councilmember Mayfield was really pushing this playbook approach. Remember talking about it in a couple of different retreats. Then we lay on top of this when we're trying to change our approach to violence, the move from a law enforcement approach to a public health approach, we saw that it overlaid again those hotspots overlaid to these opportunity zones, where these billions of dollars of investment were probably going to happen. We had like we need to come up with some type of strategy to have some type of influence in this. As we put all of those things together, we did come up with this Corridor of Opportunity. But that's where the pathway starts. It never started with saying we wanted to have an overreaching equity approach to the way we do things.

Since Council has not adopted an equity policy or lens to support efforts like the Corridors Of Opportunity but are selling all work as racial equity work. Now, I fear that there will be a delta or a gap of what is actualized after investments are actually made. It reminds me of some of the research I've read and listened to on urban renewal. See, urban renewal was accomplished over decades through the facilitation of many different public-private partnerships. In fact, if you listen to the words of people like Vernon Sawyer, who is the

Senior Staff Member who implemented urban renewal, he believes that he was integrating neighborhoods instead of segregating neighborhoods. He applauded the creation of local businesses, black businesses, like local lawyers, builders, developers, and real estate brokers. In the immediate and even overtime, Charlotte cheer led the return of those investments that were made during the time of urban renewal. But now, we know the error of some of those decisions that lacked that equity approach to those investments that were made. So, while the intent of the Mayor's Equity Initiative might be great. I believe it is missing a step. It is missing a step that could prove fatal to the idea of equitable development in neighborhoods that need it most. That missing step is equity.

So, we exist in a strong City Council manager form of government. My suggestion for now, for us to keep this thing moving forward and to realize all the promises that this strong public-private partnership could generate is that we charge City Council with developing an equity policy that we can apply, not just to our corridor strategies, and what to work with the CLC to truly embark on a city-wide Equity Initiative that touches all 320 square miles and that really does empower future Councils to really operate from that equity framework. I think that's how we get this thing moving forward. I think that's how we are honest about where we're at and where we need to go. Thank you.

**Councilmember Watlington** said I'll start with having not been in the Strategy Session conversation, this has been an interesting evening. To this point, I've heard a few different things. What I'm most interested in, is I've heard from Councilmember Bokhari, the Councilmembers that were in the room that ultimately voted were misled, and some pretty to me serious allegations, if you will, and a suggestion that we're voting again. First, I wanted to understand or that we need to vote again. First, I wanted to understand a little bit more about that. Then I'd also like to understand from Councilmember Winston when you say we should charge ourselves to create an equity policy, how that looks different from what occurred because I'm not exactly still sure that I know what occurred here that was missed. Maybe that's a question for the Mayor, to understand what actually happened here. In light of what Councilmember Bokhari has said, and then from Councilmember Winston, what does what looks different in terms of how this Council then actively gets involved in equitable policy development? Because I mean, I hear suggestions, some of which I'm supportive of some of which I have questions, but I know we're not taking action tonight. But I want to make sure I understand where we go from here, that's going to create a situation where people feel like they can get behind what's happened. So, I'll back up the first thing, Councilmember Bokhari, when you talk about being misled, or we need to vote again. Can you tell me exactly about what you're looking to happen here? That's different than what occurred?

Mr. Bokhari said I believe that the City Attorney has already clarified what I wanted, which was I don't want the money to go out the door until this Council can be involved. Under the guise of the Mayor's initiative, it was the Mayor's thing with the private sector, steering our dollars in some form or fashion into folks' hands for which we had no visibility. So, I think I got my initial goal accomplished tonight, which is this money can't go out the door. The Manager said it in his remarks, which are new remarks that were not the tune that we heard at the retreat, and the attorney said that vote is invalid, anyway, given our own procedures internally. What I'd love to hear clarifications on why this happened the way it did, I would love to, but at the end of the day, I only expected that there will be explanations and all kinds of things that have been scrambled to be made and all I cared about was that we're part of the work that we've been elected to do.

Ms. Watlington said okay, so then maybe the question then is for Mr. Winston. What then looks different when you say that the Council will be involved in the equity policy, are you speaking specifically to a committee referral and Ad Hoc Committee development? What looks different than how we got here?

Mr. Winston said again, I think what I'm speaking to is this idea of an equity lens or for future policy, for instance, this is something I spoke about the other week when we were discussing redistricting, right. So, this idea of, using the tools that we have developed over time, all these social determinants of equity, all of these, all of these tools that we have accumulated over time to whether it's an Ad Hoc Committee, whether it's within our

specific purviews around economic development, we've approached this in our Comp 2040 Plan, in our transportation and planning rubrics and frameworks. That would guide all of our future work. That's hard work to kind of dive into. The county has looked at some ways that they've done it, but I want to avoid the situation, where this Council or future Councils or saying, we need to do something. So, we'll do anything and just slap the tag of equity on it because that's not true, right?

Ms. Watlington said I think I get where you go. I'd like to see some more tangible and technical in terms of what this framework looks like, even as we think about what's in the presentation and oversight boards and how this thing gets rolled out. We're talking about we want a more transparent process; we want to really have Council leading this work that to me shows up in some form of a working body. So, whether that Ad Hoc Committee or whether that falls within I would think economic development as an economic mobility type initiative. I would love to see that and am happy to support that work. But that feels to me like what needs to happen going forward? Then I guess the last question is procedurally where are we, Mr. Attorney? Do we need a vote? At what point or is that vote going to occur?

Mr. Baker said so, I think I understand your question. I just want to remind Council that at the October 26<sup>th</sup> meeting, there weren't any questions specific to the procedures that were happening here. I do want to remind folks that pursuant to Rule 6C, it's the Mayor that entertains and answers questions of parliamentary procedure, parenthetically, the City Attorney may offer advisory opinions or advice to the Mayor.

Ms. Watlington said with that, Mr. Attorney, thank you for that reminder. Madam Mayor, I'll direct my question to you.

Mayor Lyles said would you restate your question?

Ms. Watlington said sure. I just want to know, from a tactical standpoint, as far as it relates to voting again, on that matter where we stand?

Mayor Lyles said well, I have to say this. I'm sorry, Mr. Jones? Yes.

Mr. Jones said because I think it's important to put a little context behind how the federal dollars have been handled in the past. It's important to put out there that before we went to the retreat, I went to the Budget And Effectiveness Committee. The Budget And Effectiveness Committee said, "We need to talk about these ARPA funds". Also, it was a discussion about some of these guys that are lined up ready to go. In the pre-read that we sent out, there was ARPA in the pre-read. So, I just believe that what the same attorney has said, is a little different than how we've been handling the ARPA funds in the past. So, I just want to make sure that we put out there that there's not a big deviation from how this Council has given a nod, if you will, for ARPA funds. There hasn't been a bunch of RCAs (Request for Council Action) where you vote on individual actions. I just wanted to clarify that.

Ms. Watlington said to that. Thank you for that, Mr. Manager. I was just going to say I can appreciate that this may not be very different. It sounds like maybe we should institute something a little bit different going forward. But your point is noted.

Mayor Lyles said the only thing that I would add and I don't have the timing of it. Exactly. But I remember I think after Mr. Driggs spoke about the item being adopted or approve, I said that still has to go through the process that the Manager has to bring forward at the retreat. I remember saying that, because I do believe that the way that this is being framed is that we have committed and given away money and there is no contract, no commitment to give money to any group, except in a way that we do it in terms of a partnership, which has never really been defined except we work together in this community. So, the idea that we would say, "Well, we have to vote again." It would be appropriate to vote. Once we decide, I think as governance structure, how that contract would work and on that plan. If there is this idea that because we at a retreat, agreed on 14 items that we call community vitality, and those items would go forward, some of those

are probably under the Manager's signature, which he would believe, or at least if I were the manager, I would believe that I have the power to do that because of the amount and the authority that is in my accountability. But I do remember specifically saying that these would have to come back to the Council. That I believe, is what we needed to be able to do tonight is that when we talk about the Digital Divide and the appropriation of that money, it has been set aside, but it has not been contracted, nor is there anything that is written that says how we would do it.

Now, in terms of the planning for this, we do a lot of ideas around what plans are and what they could be. In this case, I think that the private sector really did do a plan as Mr. Bokhari noted, that was intense and very much on something intentional, and will serve this community very well. I really appreciate them for doing that. I appreciate them for listening because this all came about after the George Floyd protests and they went about this work. We've been a little bit slower and that's okay. There's not a problem with that. But we've also been very much committed to the idea that hotspots, where we spent millions of dollars, did not work. We do need something about Digital Inclusion, that's going to make it possible for kids in this community, the households in this community to be, as we call it, often not just survive, but thrive. That's an important aspect of it.

What I think that's encouraging to me tonight, is the idea that the private sector has come and presented and said, "How do we work together?" That in itself says a lot. I know that this Council believes in equity, but you're right. There's no equity policy in this Council. I expect and I said so at the presentation, that equity in this community was being operated upon by many, many different groups. Everybody had a different way of looking at it. The private sector chose the way that they wanted to do this. They have stepped up and they're doing it. So, I really want to say I'm encouraged by that. But I also agree that we have work to do. But we're not the only ones out here all the way from Rabbi Schindler's work at Queen's all the way to the work that [inaudible] Adams is doing on Beatties Ford Road. All of this is about doing well.

I hope that we understand that the more we work together, the more that we stop, kind of like figuring out how this community can improve. That's when we make change for people. This is just one part of a change. This money will go far, I hope. But that doesn't stop it. It has to continuously grow. We have to continuously. These laws that caused us to talk about inequity are hundreds of years old.

Last week, my mother had a book that I kept. A 100 years ago, right? The Negro Almanac. Seventy-seven people were lynched across the country. All of these things are discussed. These laws were sent and carved in places primarily on black and brown people. So, we have this chance now to stop carving and do something to fill in the gaps to do this. This is just one way to do it. There are many other ways and I would encourage us all to think about the things that go forward and help us and especially if we establish an equity framework, which has been mentioned, but hasn't been acted upon. Until this, I kind of feel good. Now I feel like I'm on a roll. Here we go. So, what I'm going to say is perhaps this is the push we needed and that's okay. Sometimes you get the push that you need by seeing someone else step up to do something. So, thank you two Janet and the private sector.

Mr. Driggs said so, I just want to note I think Mr. Bokhari raised some legitimate issues and I don't want to see them swept under the carpet. This is a conversation we need to have. It is a procedural thing. It's a governance question. So, I think we need to note that all of us believe we are aligned behind the goals of the plan and the use of the resources for that matter. What we're talking about really is that it would have been nice if the Council had been able to ask our questions and be involved in no more before a public announcement was made that actually kind of limited our choices. So, I think that's the issue. What I look forward to is that we catch up that we do those things that we would have done before the announcement after the announcement and we all arrive together at a plan and a commitment of funds that's in line with what was announced. I don't think it gets disturbed by it. Certainly, we've all expressed our appreciation to the private partners. That is not diminished in any way. But we have to just get the cart back behind

the horse on this thing, I think and get all the people whose authority will commit that money on board with the promises we're making. Thank you.

Mayor Lyles said, Mr. Driggs? I really appreciate that because I do reflect on the questions after the conversations I've had with many of you. I want to say the one thing that I would have done differently is I made the calls the week before the announcement, and I think I spoke with every Councilmember. I probably had kind of liked this idea that well, I just want to make sure you have the invitation, you have the announcement and you'll be there. That wasn't sufficient and it wasn't enough. So, for that, I really would like to let you all know that I have thought about it. I regret that it happened. I am going to work towards that kind of disclosure, especially as things come up. This is what I would say also, as when I was calling people, and it was just very kind of, like, this is going to happen. I said, "Can you come?" I mean, I know that certain people couldn't come. But I remember talking to Mr. Driggs, and he was telling me about the engagement party. Later when we talked, he said to me, "Well, Vy, if I'd known that it was going to be this, I would have come back from New York". I have to say, I was probably more enthused about the engagement party, and I wouldn't have come back from New York if I had had that kind of engagement party. I remember talking to Mr. Bokhari and saying, this is the work that Brad has been working on, this is about and he's like, I got I understand that I know what's going on. I remember talking to other people that didn't know as much, but I own that. I want you to know that, as I own things, I try to make those adjustments. I hope that you'll understand that's what I'm trying to do and will work at it consistently with this Council. So, thank you.

**Councilmember Eiselt** said thank you to everybody, all my colleagues who have expressed your comments. I've been listening, trying to listen over the past week or two weeks to this conversation. I agree with a lot of you. I also agree with the sentiments the Manager and the Mayor have said too, and I think what it comes down to for me is this. In the past five years alone, we've moved up to spots to be the 15th largest city in the country. We're only a couple of 1000 behind the next larger cities. So, Columbus we're on you. We are close. I believe that we will surpass that within the next couple of years. Because of that, we have had a lot of growing pains. We are I believe, if it's not us, it's Fort Worth the largest city that has this form of government, still has a weak Mayor form of government. I personally like having a City Manager as the CEO. Our manager is a workhorse as his team. Maybe not all of us want to make that kind of a commitment yet to be full-time City Councilmembers, but our peer cities, that's what they are. They have their own legislative staff. They have, I mean, a lot more than it's almost embarrassing sometimes when you talk about it, and you meet the driver of a Councilmember at a meeting. So, we're in a really difficult, we're sort of a teenager, trying to go through growing pains if you will, and I hope we can all give each other a little bit of grace. Can we do things differently? Definitely, we need to so I think for the people that are listening to this tonight, a lot of this is what we're trying to figure out as Councilmembers. I really appreciate that my colleagues have pointed out how excited we are about the private sector stepping up for this initiative because that's huge. I've never seen anything like this in my 27 years in Charlotte. That to me, I hope it is a new day. Do we need new processes within our own City Government? We do. We've got to work on this. We've got to have better ways that we can get involved and get integrated into some of these things. Also, have an appreciation for how confidential some of this is. Because that's not always the way we treat it either. So, I appreciate all the comments. I think there's a lot of validity. I think I'm on record of asking about that 10 million in the retreat to say that it was bucketed and that, unless anything's changed, we still would have to vote on anything that goes out the door, because the manager's authority only goes up to 500,000. We even changed that. I think it was 150,000, just a couple of years ago. So yeah, there is room for improvement in the way we do things. But again, just for anybody who's confused about this, we got another topic tonight we're talking about that is really exciting to possibly get a medical school or the largest city in the country that doesn't have a medical school. So, are we going to have growing pains and difficulty in doing it? Yeah, absolutely. We will. I just asked for us all to have a little bit of grace with each other and be open to change. It's hard and I asked for the public to be a little more understanding as well. Thank you.

Mr. Bokhari said some final remarks after hearing some of those responses. While I appreciate the apology and recognition of wanting to go back and do it differently. I think

it's important right now that we not kind of skip over the aha moment that everyone is hopefully experiencing right now. We were told just to be crystal clear because this has been said multiple ways right now, we were told we needed to approve these huge buckets of money. Without it coming back to us. Go back to the two-hour and 19-minute mark and you will absolutely hear that in the October 26<sup>th</sup> YouTube video on the City of Charlotte page. You just heard the Manager today say, "Well, we've been doing these things, not with RCA's that come back to you". That money was not coming back to us, folks. If this work hadn't occurred in the last three weeks leading up to today, that money would have been out the door, and we would have heard about it afterward. So, a lot of people around here are apologetic. I feel like yes, they wish they hadn't got their hand caught in this cookie jar. But at the end of the day, we were forced where we are right now by our actions over the last three weeks and today. That money would have never come back to us and now it will. So, we achieve that today.

Two, and this is most important. There's no plan for the majority of the money on that page that's forward-looking that we as a public partnership didn't already approve. I know it for the Digital Divide. I know what the private sector is doing with a Digital Divide, it's amazing. That has nothing to do with these monies. There are things that we could do, one of which is to give 1998 Wi-Fi devices to high school kids. But we haven't actually sat down and done this work. This is what Braxton and I were trying to do for a year, two years now. to be cut out from that the real travesty is that there's no actual plan still. So, no walk away thinking "okay, well..." we have work to do, and it's Council work to do.

I think finally if the push we needed tonight was being lied to, to bring us to this point, and get an equity framework underway and get involved in an 11-person, strong Council-Manager form of government in this work? Well, maybe that is worth it. But let's not, paint that thing up and make it look sexier than it is. We were lied to. We put maximum pressure and now we've solved some of it with a lot more work to do.

So, I'll just leave with the ending silver lining of I love a good news story. I hope it brings us together. The real good news story is the last three weeks and the Mayor's initiative, maybe is the first thing in the last several years that's actually brought this Council together on something. So, there's the silver lining, if you're looking for one.

Mayor Lyles said wow.

Mr. Graham said I want to thank you for the phone call today. We agree that we disagree. So, you know we're going to disagree right now. Right? But listen, again, I go back to my earlier comments. The devil is always in the details, right. I don't want to lead the conversation the way Mr. Bokhari framed it. His opinion, I respect it. I don't agree with all of it. But he's a Councilmember. He can state what he wants to state. So, I respect that. I respect the efforts made around the initiative. The good is going to do for so many people in our community, especially on these corridors, which has been historically left behind in Charlotte's development. There's no doubt about it. Trying to restore that, for these dollars is my perspective equity, [inaudible] historically black college within the 15th largest city in the country, less than two miles away. They should have the best banking and finance department in the country. Somehow, they've been left behind. Digital Divide- I mean, we talked about those things.

So, I just want to leave with the public that despite the noise, at least this Councilmember and I think a majority of the Council, I can't speak for everybody else. So, I'll speak for Malcolm, this Councilmember is keeping his eyes on the prize in terms of how we create community impact by what happened over the last three weeks. Not only on Beatties Ford Road but throughout the corridors throughout the city, to make sure that Johnson C Smith is the best that can be and hold them accountable. Making sure that we invest the dollars wisely, and they'll come back before this Council. As I said earlier in my presentation, notwithstanding that the form of government is a weak Mayor form government. We need a strong Mayor, and we have one. Thank you.

**Councilmember Ajmera** said I agree with what's been said about the process, and the transparency. But let's not discount the effort that was put forward by our Mayor, and the

private sector. So, while we all agree that the process could be different, governance could be different. The equity policy, we need to develop. Most importantly, we need to focus on implementation moving forward, because implementation is what's going to transform lives in all parts of our city, especially along corridors. So that's the only message I have for my colleagues as we move forward. Let's keep our focus on the implementation and governance while we continue to work through some of these policies and processes. Thank you.

**Councilmember Phipps** said I think it's important to emphasize that the people still have a chance in these corridors and these playbook exercises. I think some decisions and ideas that they put forth will be part of the plan by which we would execute dispersing some of these funds. We still have some playbook corridors are still working on that playbook. I'm aware that Pat Millan and his nonprofit, the ED two, they've been working for years seems like just getting this digital equipment and things in neighborhoods. Also, Bank of America started a new year, they donated 10,000 laptops to CMS (Charlotte Mecklenburg Schools) to put in school. So, people are not sitting around waiting for us to figure out how we're going to finally spend these funds. They're out there doing it. So, I think that the public still has an opportunity through that exercise to determine how some of these monies will be spent. I think that's a critical part of it. So, I look forward to the pathway forward. I think we have a good start right now. Thanks.

Mayor Lyles said thank you. I think that ends this discussion. I'm concerned, about whether or not how we deal with the COVID update and the power bill allocation update. I know that we've also got people waiting in the chamber for us. So, we've got quite a list. We have a solution. So, we are going to stop this Strategy Session now.

The meeting was recessed at 6:29 p.m. to move to the Meeting Chamber for the regularly scheduled Business Meeting.

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The City Council of the City of Charlotte, North Carolina reconvened for a Business Meeting on Monday, November 22, 2021, at 6:38 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Dimple Ajmera, Tariq Bokhari, Ed Driggs, Larken Egleston, Julie Eiselt, Renee Johnson, Malcolm Graham, Matt Newton, Greg Phipps, Victoria Watlington, and Braxton Winston II.

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## **PUBLIC FORUM**

### **Charlotte's International Business Strategy**

**Vanessa Mathews, 2737 Celia Avenue** said esteemed Councilmembers and Mayor Lyles. I live in District 2. This year I was appointed by the Mayor to serve as Chair of the Charlotte International Cabinet. The International Cabinet is charged with providing input and recommendations to City Council, to leadership, and to the Mayor on a topic pertaining to International affairs of domestic and foreign origin. And to encourage the growth of the international business through partnerships and to support globally competitive workforce development, entrepreneurship, foreign direct investment, and exporting. Our cabinet members represent various aspects of Charlotte's international community and work to promote Charlotte as an international city. Earlier this Mayor Pro Tem Eiselt and former Councilmember James Mitchell asked the cabinet to create this motion of support for an international business strategy. These combined reasons are why we write this letter for the creation and implementation of an international business strategy for the City of Charlotte.

As a top growing city, global cities are often the hubs of the world and increasingly influential players on the world stage. The City of Charlotte has an opportunity to continue to grow its global ties as well as to provide more opportunities to small businesses serving



the diversity of our steadily growing international community. In alignment with the charges of the International Cabinet, we advise the City of Charlotte to bring together city leaders and stakeholders to clearly define and promote an international business strategy for the City of Charlotte. Secondly, we advise the City of Charlotte to create and implement such a strategy to remove silos and encourage more fruitful cost collaboration across the city. We fully support the creation and implementation of a comprehensive international business strategy. We are requesting that Mayor Lyles moves this discussion to the workforce and Business Development City Council Committee to further discuss the importance of international and foreign-owned businesses for Charlotte. We look forward to working with you and the city on this endeavor and on behalf of the International Cabinet, it is our pleasure to assist you in making this successful.

### **International Business Strategy Letter of Support**

**Charlotte “Nadja” Trez, 14545 Limestone Lane** said good evening esteemed Councilmembers and Mayor. I was appointed by the Mayor in 2019 to serve as an advisory member for the Charlotte International Cabinet. The Charlotte International Cabinet is charged to provide input and recommendations to the City Council on a topic pertaining to international affairs of domestic and foreign origin and raise feasibility of issues pertaining to the [inaudible] community. As appointed members, we are proud to serve the City of Charlotte and our local community by not only gathering information about the challenges the community is facing but also by calling attention to valuable solutions.

The COVID-19 pandemic highlighted the hardship and danger that is posed through ineffective information on [inaudible]. As diverse community leaders, we have seen the disparity created when residents are not able to receive vital resources in their language. On April 2021 we called together a forum to learn from residents and leaders about challenges faced by immigrants and refugee communities that were heightened by the pandemic. The common theme throughout the discussion were gaps in information sharing compounded by complicated terminology and lack of language access. We commend efforts already in place by the city. Like efforts to translate the application for businesses to receive COVID-19 emergency funding. During our May 2021 meeting, we learned about the increase of language access practice at the city and we also learned about best practices implemented across the country [inaudible] by the Municipal Language Access Network.

The Municipal Language Access Network is a collaboration of language access professionals working in municipal government across the country, including Austin, Seattle, Houston, and Greensboro here in North Carolina. We applaud the work of elected officials and the City staff for their [inaudible] efforts to address this need. We [inaudible] more can be done to support Charlotte’s global diverse and growing community. In alignment with the charges of the Charlotte International Cabinet, we are [inaudible] the City of Charlotte to adopt a citywide language access policy that adheres to the following best practices. Promotion increase language of increase uses of a plain language, require all departments to develop an annual strategic plan to increase the provision of translated documents and interpretation at meetings, provide a trainee across city departments to utilize language access tools, and provide support and training to bilingual employees.

Mayor Lyles said actually I was going to say that we are not only an update, but we need to look at this and determine how would address it because I think that while we talked about it, it kind of dropped off. So, we need to figure out a strategy around it.

### **Charlotte’s International Cabinet**

**Gary Marion, 812 West Craighead Road** said I’m a 62-year-old disabled veteran who suffers from post-traumatic stress disorder. On November 14<sup>th</sup>, 2020 I was ambushed on my property by my neighbor, his son, and two other individuals as I returned home and sitting in my car in my driveway. What I want to talk about is racial bias continuing with the police department. After the assault, I stumbled over to my neighbor's house to make a phone call because my phone was stolen. I was sure CMPD (Charlotte Mecklenburg

Police Department) would arrive and make an arrest based on the facts. I was wrong. All of the officers that arrived were white. They treated the incident as if it was just a bunch of black guys that had a fight. This was on my property. I wasn't even out of my car yet. They ambushed me. They actually call the incident an [inaudible]. Which is something they probably teach you. It's an old term and something that happen in public. Now, they walked across the street to question the people who attacked me and they were told they didn't know anything about it. They stole my phone and before I went to the hospital I walked two houses over to my property to explain to the police officers what happen. My two-vehicle damaged, I had evidence. They left clothing on my property and eventually went to the hospital.

The next day I was surprised because the police report didn't have any of the information that I spent more time talking about what happened to me than the amount of time it took for them to give me a fractured jaw. I have vertigo and I had been hacked several times with different objects and brass knuckles. In a two-year span, I have made 20 calls to CMPD. In 2020 I made eight. In 2020 no community service officers came to the community to talk about any of the things that were happening to me. I had a no-contact order on my [inaudible], my neighbor right next door. He had his people assault me across the street out of retaliation. If I was white and said an African American man 5'11 wore black jeans, a blue coat, he assaulted me, they arrest whoever fit the description. Here I am on my own property across the street from the people who assaulted me. No arrest was made. There were 12 digital calls made to the police from my phone. I have those records in 2021. It took 11 months for the community service officers to come to talk to the people that I have been in fear of my life from. It's bad enough I have to wait for the court proceeding because of COVID.

Mayor Lyles said I want to say thank you for your service to our country. We really appreciate our veterans in our community. I would also like to say that we will have a follow-up on this request that you are making tonight for us to look into the procedures that took place on November 14<sup>th</sup>, 2020.

### **Ride Charlotte of Elections Flow LLC**

**Joseph Latimer, 1508 Whisnant** said representing Ride Charlotte, a small business I'd like to introduce to the City of Charlotte. As we grow we are looking for partnerships. We are a small-scale electric mobility platform. Our mission is to have Ride Charlotte exist to provide a safe, reliable, entertaining transport option one person at a time. We do this with electric low-speed vehicles, LSV vehicles to transport between five to 14 persons. Our goal is to subscribe and get our subscription service out to the public where you are able to ride in an electric vehicle, an electric shuttle bus for less than a dollar a day with a subscription service. That is going to operate on the North Tryon artery from the Central Business District down to the South End area. That's a [inaudible]. These will be unlimited rides with the subscription service we would like to introduce.

We also provide tours and we do event shuttling. We are looking for partnerships for event shuttling, community support, and other ventures within the city. We also are targeting our uptown residents as we know the traffic and the congestion [inaudible] for mobility options in the city. We are looking to support those with the green energy initiative. We know the initiative to support shifting over the city buses to electric vehicles. We are also in support of that as we are already shifting to electric vehicles. We operate once again, on North Tryon main artery. The plan is to utilize some technology proprietary development where we are just using some digital QR codes to give you that ability to hop on the bus with unlimited rides.

One benefit about Ride Charlotte is we are going to be operating during the times that really no one is doing right now which is the night hours on Fridays and Saturdays between 2 p.m. and 3 p.m. it's a lot of wins there, especially as it gets cold. We will be providing sheltered, enclosed rides for a lot of the community and hopefully with some heat options. But there is a lot of security in that we are getting a lot of feedback from our female members of the community and our vulnerable members of the community. As well as we support [inaudible] in some instances with our vehicles having extended

platforms to support those in need of transportation options. So, letting you know that is out there with Ride Charlotte. Once again, we will be out there. We also once again, support the tours. We have family and group tours that start as low as \$20 and \$30. So, I am really excited to introduce Ride Charlotte to the community. You can find us at Ride-Charlotte.com. Check us out there. We are in beta testing now. We hope to launch our and see us uptown. We've already got the first permitted LSV vehicles done through the City of Charlotte with the PDA licensing. We are licensed and insured which we are really excited about and [inaudible] a lot of money invested. So, thank you.

Mayor Lyles said Mr. Latimer, thank you for joining the new economy around electric vehicles and helping us meet our goals around climate change. So, it's exciting and you said it several times. But we are excited to have you in our center city and look forward to your growth. Thank you very much.

### **Apprenticeship Programs**

**David Leonardi, 9131 Brightleaf Place** said I am here to speak about the Innovation District Infrastructure Reimbursement Agreement. I'm a District 2 resident, a 13-year member, and field representative for Local 421 Plumber and Pipefitters. Local 421 is a member of 1200 that perform within the pipe [inaudible] craft across the Carolinas. We have a five-year department of labor Registered apprenticeship program where individuals receive on-the-job and classroom training at no cost while learning a negotiated wage and paid benefits that cover the work or in their family. These wages benefits and training are all provided by the contract on behalf of each member. Our apprentices advance from year to year working under the supervision of a journey worker and attending class instruction where they learn skills relevant to the trade and apply them in the field.

Upon successful completion of the apprenticeship program, they will advance to journey work or classification where they will give back in the form of instruction to incoming apprentices. Our members live and work in the Charlotte area and put the wages they earn back into the local and state economy. We are a pipe trades craft person by day, parents, instructors, mentors, coaches, and members of various religious community organizations in our off time. We work hard to provide for our families and appreciate our contractors that pay living wages and make full contributions to our health and retirement benefits. We believe that any person that desires a career in pipe trades or already has experience in the craft deserves and has the rights to these very same benefits that our memberships receive. Unfortunately, that's not always the case. You see my job is to represent workers, unions, and non-union. To fight for fair wages and benefits for the workers who don't have representation. Many who I found make significantly less than hourly wages receive significantly less or nothing at all in health care and retirement benefits either because they are affordable based on the worker's hourly pay rate, or simply because the employer doesn't offer them. Others have been purposefully misclassified by employers resulting in underpaid wage rates on Davis Bacon prevailing wage jobs, non-payment of overtime rates, etcetera. According to the Department of Labor, over \$36 million in back wages were paid in 2021 to construction workers alone. These are just a few of the issues that organized labor fights. Again, [inaudible] workers everywhere. The various trade representative that will speak tonight will bring a consistent message forth. We are a workforce of local skilled labor that are trained to perform various scopes of work in the construction industry. We take pride in our respective crafts and have built our careers on blood, sweat, and tears. Our training is the best in the industry and produces skilled craftspeople that perform quality construction in the Charlotte area. As well as across the United States. Our contractors have a disadvantage when bidding on projects because they pay living wages and benefits and are often underbid by contractors who offer nothing more than a wage to local workers or a wage in a per diem to out-of-state workers that won't invest in the local economy.

Moving forward we ask that local politicians take a closer look at utilizing, organized labor on projects that are funded subsidized with taxpayer dollars. Thank you

### Access for Non-drivers in the City

**Bradley Blair, 3413 Biscayne Drive** said it's good to be here. I'm here tonight wearing two hats. I am not only blind lifelong and totally; I am also a teacher of folks who are blind. I work throughout this city and beyond teaching folks with visual impairments the skills of safe and efficient travel. The jargon word in my field is orientation and mobility. In fact, this afternoon I was just on Independence Boulevard teaching somebody how to play with six lanes of traffic. You should try it sometime.

Charlotte's got a problem ladies and gentlemen. The problem is that the City of Charlotte is expanding more rapidly than the physical infrastructure can keep up with. Specifically, Charlotte has need more bus stops. More bus stops. I have clients in the City of Charlotte who live in transportation deserts. Clients who live more than the ADA stipulated three-quarters of a mile from a bus stop and as a result are not able to access either a fixed route bus or the special transportation service paratransit door-to-door service. They won't come to their home. They don't live in the area. Got a map? Are they over the line? Too bad. Wrong answer my friends. I have clients who cannot leave their homes safely because they are not covered by transportation, unless they have a spouse or unless they are willing and able to pay the money needed to take a rideshare service.

Again, I say the wrong answer. Now, there are a number of physical environmental accessibility features we could be talking about, but I'm going to focus on those bus stops because three minutes isn't a whole lot of time. We need more bus stops which means greater access to the city for the non-driving members of this community. Which also means greater mandatory coverage by the special transportation service for those who require the door-to-door service. Not all of them are blind. Believe me, they're not. I'm here for all of the non-driving public because as the city expands its leaving non-drivers behind. When you widening a street you have to take away something, alright. Usually, it's a sidewalk, etcetera.

So, in my closing remarks, I want to call for a public meeting on this topic. I want a public hearing. I want the Mayor there. I want the Transportation Planning Committee there and I want the Traffic Engineers there. I also want folks there who are just like me, who don't drive, um k. I'm not jumping in my car and leaving here tonight. Thank you.

Mayor Lyles said thank you very much. I want to thank you for what you're doing in our community. We all agree with you. We need more bus stops. We need more ways for people that are non-drivers and we're working toward it. So, keep that in mind. I don't about this public meeting thought. We will just have to wait and see about that for a minute, okay. We will get back to you on that.

### City Workers Understaffing

**Dominic Harris, 3016 Polk, and White Road** said so I don't know that the City of Charlotte has a problem holding on to employees. Especially here in Charlotte Water. Now, I work a [inaudible]. Small [inaudible], but it has a big responsibility. Now I've been taken off of this truck, I don't know how many times in order to assist on a larger construction [inaudible]. Sometimes leaving that crew without getting the proper pay that I would for have that [inaudible]. Now, that happens in too many cases. Not because of COVID. It's been happening I say for the whole time I've been a City Employee. That is going back seven years. It's something that yall got to do. It's some solution that we have delivered to you over the years through budget meetings to me conferring with the City Manager. Those where we don't have on an annual basis. We only have those meetings whenever we raise enough fuss. I mean we should be meeting every year. Yall should be talking to us on a regular to discuss what employees need so we don't run into these hurdles over and over and over again. We don't have enough people working here. We need people here. Temps can be utilized in certain areas of the city. Over in Charlotte Water only thing, you would bring a temp into doing for us is to look at me work. So, that ain't going to solve nothing.

What we can do is move the things that we were talking about last year and the year before that and the year before that like a step [inaudible] program. I say if the [inaudible] program helping you keep police and fire workers in the city, it would help you keep other workers in the city too. Extended benefits. I mean up the pay for Christ sacks. It's a shame that \$18 that you all are planning on moving the pay up to next year, is a start, but it's really ain't even enough to live in the city that we work in. Twenty-two dollars will get it because you know the rates keep on going up and up and up. Our city is expanding and we are not able to keep employees here to work in this city. The contractors are only going to be able to do so much. I like what my man said, you got these organized contracts. That's a good way to go. If we can go that way that would be a nice thing to do. But bringing these other contractors in where they ain't paying these people nothing where they don't really do any strenuous background checks. You don't know who working in front of what school and where. You don't know what's going on with that. What we need to do is give these people and pay them good, give them proper benefits, upgrade the benefits. Starting pay here in the City of Charlotte is competing with McDonald's. That should have you worried, right. Whenever McDonald's can employ somebody with what the City of Charlotte pays them. We should be the highest-paid workers in the City. Then yall talking about Corridors of Opportunity. You're an employer. You are an employer. If you can't provide an opportunity for the City of Charlotte, then who can? If you can't afford to give opportunities to the people on Beatties Ford Road and other Corridors, then who can?

Mayor Lyles said thank you. I think the Manager will respond to issues about the staffing. We understand this is a national and local phenomenon that's going on right now.

### **Overtime for Charlotte Workers**

**Michael Ross, 7544 Fallow Lane** said I am also a City of Charlotte worker. I am just here to say that we work diligently every day out there. The construction workers are working 16-17 hours on a daily basis basically. Out here making sure that you have water to have your coffee and take your bath and shower in the morning. Then when work those 16-17 hours and our bodies are worn down, the next morning we can't come to work. Those hours that we have worked overtime are now taken to put as straight hours for the day that we took on. So, we work those 16 hours straight for straight pay. We are asking that you guys consider doing anything after eight hours in a 24-hour period, that we can have that as overtime and not take that payback from us. We are also working what we call [inaudible] and cleaning [inaudible] where we go out and we have to work on Saturdays and Sundays. We are not asked to do it, but we are told to do it. Then if we take a day off during the week, eight hours of our overtime is taken for that also. So, asking that you guys take a look at that. We are not demanding. We are asking you if you would just take a look and see where you can change that policy because we are the ones that make sure that you can take that shower in the morning. You can use the restroom. Also [inaudible] for our street maintenance and our garbage people. All of those departments that's city workers. I was listening earlier. You guys were talking about all of this money that you have, but you are not compensating the people that are doing what needs to be done so that you can have the lifestyle that you need.

So, we are asking you to please take a look at that and compensate you, city workers. Thank you.

Mayor Lyles said thank you, Mr. Ross. The Manager will look into that policy and look at how that compares to other communities and what we need to do here.

### **Charlotte City Workers Union**

**Thomas Young, 4312 Commonwealth Avenue** said I come here tonight. The department set the bar high for this COVID [inaudible]. Everyone did their job. Everyone did a wonderful job from our directors, from our safety team. Everyone [inaudible] did a wonderful job to make sure we had everything we need. We couldn't have done it. I mean it's kind of hard. It hurt a lot of people. This COVID really did hurt a lot of people. One thing about our department, we stand tall and we stand strong. Not one day we didn't give

up. We gave everything we had every day. Today we are still doing the same thing. We couldn't have done it. In our department one thing, we want the public to know that we will not let COVID win. We must continue to work hard for our city. Keep the garbage and yard waste, keep uptown clean, so the people can come uptown and enjoy the scenery and know that Solid Waste Service is Top. If I don't see yall anymore this year, I wish you all a happy Thanksgiving and a Merry Christmas. Thank yall for your time.

Mayor Lyles said thank you very much, Mr. Young. It is always good to see you. You always bring joy.

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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 Item No. 43 which was deferred to December 13, 2022.

### The following items were approved:

#### **Item No. 26: Citywide Overhead Door Maintenance and Services**

(A) Approve a unit price contract with Carolina Door Specialties, Inc. for overhead door maintenance and services for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

#### **Item No. 27: Citywide Vehicles and Equipment Cooperative Purchasing Contracts**

(A) Approve the purchase of vehicles and equipment from cooperative contracts, (B) Approve unit price contracts with the following vendors for the purchase of vehicles and equipment for a term of one year under the North Carolina Sheriff's Association (NCSA): Amick Equipment Co. Inc. (NCSA Contract 22-06-0426), Knapheide Truck Equipment (NCSA Contract 22-06-0426), Capital Chevrolet (NCSA Contract 22-08-0913), Capital Ford (NCSA Contract 22-08-0913), Four Seasons Ford (NCSA Contract 22-08-0913), Modern Chevrolet of Winston-Salem (NCSA Contract 22-08-0913), Performance Ford (NCSA Contract 22-08-0913), Piedmont Truck Center (NCSA Contract 22-08-0913), (C) Approve a unit price contract with the following vendor for the purchase of vehicles and equipment for a term of one year under Sourcewell: Altec Industries (Sourcewell Contract 012418-ALT), and (D) Authorize the City Manager to extend the contracts for additional terms as long as the cooperative contracts are in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contracts.

#### **Item No. 28: Curbside Residential Recycling Collection Services Contract Amendment**

Approve a contract amendment to extend a contract with Waste Management of Carolinas, Inc. for curbside residential recycling collection services for a term up to 13 months.

#### **Item No. 29: CATS Cummins Bus Engines and Cummins Bus Engine Parts**

(A) Approve a unit price contract to the lowest responsive bidder Cummins inc. for the purchase of Cummins engines and Cummins engine parts for the CATS bus fleet for an initial three-year term, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

#### **Item No. 30: Airport Automated Screening Lanes Contract Amendment**

(A) Approve contract amendment #2 for \$3,955,000 to the contract with Vanderlande Industries, Inc. for automated screening lanes, including four years of maintenance and warranty for Checkpoint 1 equipment, (B) Approve the transfer of the automated screening lanes without monetary consideration to the Transportation Security

Administration as authorized under NC General Statute Section 160A-274 and approve all contracts related to this transfer, and (C) Approve contract amendment #2 for \$144,958 to the contract with Leidos, Inc. for equipment movement of Transportation Security Equipment.

**Item No. 31: Airport Civil Engineering Consultation Services**

Approve a contract for civil engineering consultation services with the following vendors for a three-year term: WSP USA Inc., Delta Airport Consultants Inc., Talbert, Bright & Ellington Inc., RS&H Architects Engineers Planners Inc., and HNTB North Carolina PC.

**Item No. 32: Airport Roadway Relocation Construction**

Approve a contract in the amount of \$8,990,058 to the lowest responsive bidder Blythe Development Co. for the North End-Around Taxiway Private Access Drive construction project.

**Summary of Bids**

\* The complete Summary of Bids is available in the City Clerk's Office

**Item No. 33: Airport Terminal Atrium Renovations**

Approve a contract in the amount of \$6,023,775 to the lowest responsive bidder Edison Foard, Inc. for the Atrium Life Safety Upgrades, and Improvements project.

**Summary of Bids**

\* The complete Summary of Bids is available in the City Clerk's Office

**Item 34: Airport Traffic Services Contract**

(A) Approve a contract with ACTS Airport Services, Inc. for airport traffic services for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

**Item 35: Replacement of Charlottenc.gov Website**

(A) Authorize the City Manager to negotiate and execute a contract with Granicus, LLC to replace, implement, and maintain charlottenc.gov; (B) Authorize the City Manager to approve price adjustments and to amend the contract consistent with the purpose for which the contract was approved; and (C) Authorize the City Manager to purchase such additional software licenses, modules, services, maintenance, and support as required to maintain the system for as long as the City uses the system.

**Item No. 36: Set a Public Hearing on Creekside Grove Subdivision Area Voluntary Annexation**

Adopt a resolution setting a public hearing for January 10, 2022, for the Creekside Grove Subdivision Area voluntary annexation petition.

The resolution is recorded in full in Resolution Book 52, at Page(s) 320-321.

**Item No. 37: Refund of Property Taxes**

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$78,815.58.

The resolution is recorded in full in Resolution Book 52, at Page(s) 322-323.

**Item No. 38: Meeting Minutes**

Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of October 4, 2021 Strategy Session, and October 11, 2021, Business Meeting.

**PROPERTY TRANSACTIONS**

**Item No. 39: Property Transactions - Brown Grier Road Improvement Project, Parcel #16**

Acquisition of 65,274 sq. ft. (1.50 ac.) Fee Simple, plus 12,936 sq. ft. (0.297 ac.) Utility Easement, 87 sq. ft. (0.002 ac.) Storm Drainage Easement, 15,593 sq. ft. (0.358 ac.) Temporary Construction Easement at 4000 Gallant Lane from Charlotte Mecklenburg Board of Education for \$119,241 for Brown Grier Road Improvement Project, Parcel #16.

**Item No. 40: Property Transactions - DeArmon Road Improvements, Parcel #3**

Resolution of Condemnation of 571 sq. ft. (0.013 ac. Temporary Construction Easement at 8626 Galena View Drive from Progress Residential Borrower 1 LLC for \$5,900 for DeArmon Road Improvements, Parcel #3.

The resolution is recorded in full in Resolution Book 52, at Page (s) 324.

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**Item No. 41: Property Transactions - DeArmon Road Improvements, Parcel #16**

Acquisition of 34 sq. ft. (0.008 ac.) Fee Simple, plus 1,818 sq. ft. (0.042 ac.) Utility Easement, 870 sq. ft. (0.02 ac.) Sidewalk Utility Easement, 939 sq. ft. (0.022 ac.) Temporary Construction Easement at 5231 Eagle Creek Drive from Nicole R Harbor for \$66,275 for DeArmon Road Improvements, Parcel #16.

**Item No. 42: Property Transactions - DeArmon Road Improvements, Parcel #21**

Resolution of Condemnation of 20,314 sq. ft. (0.47 ac.) Fee Simple, plus 1,016 sq. ft. (0.023 ac.) Utility Easement, 3,512 sq. ft. (0.081 ac.) Storm Drainage Easement, 1,325 sq. ft. (0.03 ac.) Slope Easement, 7,844 sq. ft. (0.18 ac.) Sidewalk Utility Easement, 6,617 sq. ft. (0.152 ac.) Temporary Construction Easement at 12430 DeArmon Road from Manochehr Ghahhari and Claudia Sandra Jacobs for \$32,650 for DeArmon Road Improvements, Parcel #21.

The resolution is recorded in full in Resolution Book 52, at Page (s) 325.

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**Item No. 44: Property Transactions - DeArmon Road Improvements, Parcel #37 and 39**

Resolution of Condemnation of 218 sq. ft. (0.005 ac.) Fee Simple, plus 10,075 sq. ft. (0.231 ac.) Utility Easement, 1,581 sq. ft. (0.036 ac.) Storm Drainage Easement, 1,456 sq. ft. (0.033 ac.) Slope Easement, 6,649 sq. ft. (0.153 ac.) Sidewalk Utility Easement, 3,215 sq. ft. (0.074 ac.) Temporary Construction Easement at 12400 and 12545 Jessica Place from Prosperity Village Homeowners Association for \$72,425 for DeArmon Road Improvements, Parcel #37 and 39.

The resolution is recorded in full in Resolution Book 52, at Page (s) 326.

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**PUBLIC HEARING**

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**ITEM NO. 9: PUBLIC COMMENT ON THE CENTER CITY 2040 VISION PLAN**

**Mayor Lyles** declared the hearing open.

**Councilmember Eiselt** said the Center City 2040 Vision Plan updates our prior Center City Vision Plans including the vision goals and focus area to reflect the changing dynamic in the center city. The plan focuses on the area within the center city, the municipal service district boundary in Council Districts 1,2, and 3 and was created by compiling extensive input from the center city leaders. The business owners, residents, and other



stakeholders. It envisions a center city that is inclusive, resilient, and diverse. The project management team held multiple public meetings and facilitated several steering committee meetings throughout the process beginning in the late summer of 2019 and continuing through 2020. The team had several rounds of engagement that included pop-up events, a mobility summit, the Innovator Action Forum, and library branch outreach events. All of that was during COVID. The outreach included a non-line community meeting in November 2020. The plan includes a refresh vision statement along with goals and implementation strategies to achieve that vision.

The plan includes 10 focused areas, including inside and adjacent to Uptown Charlotte, Including Second Ward, The Blue Line and the Silver Line Crossings, Tryon Street, Brevard Street, and the Foundry District Cedar Yards. With that, I am going to introduce our Staff Resources Assistant City Manager Taiwo Jaiyeoba.

**Taiwo Jaiyeoba, Assistant City Manager/Planning Director** said I am here tonight with my colleague Michael Smith. The Chief Executive Officer of Center City Partners. To set the stage as you receive comments from the public and the draft Center City 2040 Vision Plan. I believed that Councilmember Eiselt summarized the process of how we got to where we are today. So, we will try to make our presentation brief so there is enough time for you to receive public comments. There was a meeting on October 25<sup>th</sup>, the Transportation Planning, and Environment Committee referred to this plan so that you could hear more about what the community thinks of the blueprint which provides a bold big picture unifying vision for the growth and development for our [inaudible] core. Which is defined by the project study area.

That's [inaudible] area includes uptown and the immediately surrounding neighborhoods. Roughly the first two-mile range from the intersection of Trade and Tryon Streets. I would like to also note that this effort is a partnership between Center City, the City of Charlotte, and Mecklenburg County. Not only partnership in terms of how working arrangements, but also jointly funded by the three organizations. In June of this year, the Council adopted the 2040 Charlotte Future 2040 Comprehensive Plan. Think about this Center City 2040 Plan as a type of community area plan for that two-mile radius of the Center City area. We even went as far as retaining the services of the same consultant MIG, not only to work on the Comprehensive Plan 2040 Comprehensive plan, but also to work on this all in 2040 plan as well. So, at this point, I will turn it over to Michael Smith to explain what the Vision Plan is and these efforts have become powerful tools for our communities' goals and success. So, Michael at the end of it we will have public comments.

**Michael Smith, Chief Executive Officer of Center City Partners** said thank you Taiwo for the partnership. Mayor and Council it is a pleasure to be with you to share some of the work that our community has done in putting together the plan that going to be commented on this evening. To speak to you about a plan that reflects the community's ideas, what they have told us is important to them, and the kind of Center City that they aspire to have and develop across the next two decades.

The Vision plan, are high-level concepts that help us inspire city-building decisions. The Center City Plan also includes distinct strategies, projects, and programs that will help us achieve some shared community goals. Overall, we believe this plan will be remembered for three particular items. Ensuring that equity is key in decision making and investments in our Center City, building out and improving our mobility network, and supporting the evolution of our Center City neighborhoods beyond the CBD to incredible, complete neighborhood centers in more complete places.

Charlotte Mecklenburg's legacy of visionary planning for the growth and development of our Center City has contributed to the community's recipe for success. We have an incredible tail wind at our backs. A lot has changed in the past decade and we are a different city. Since then, as the census is confirmed, thousands upon thousands of people continue to come to our community and make Charlotte their home; bringing new ideas, opportunities, and challenges with them. Even though past plans were rooted in our communities values, not everyone benefited from the growth. We've learned that we cannot solely count on free-market forces to meet our commitments to equity. We need

to focus on more purposeful, inclusive, and intentional growth. It's for that reason it's for this approach to this plan is different from the past. For example, there are 90 discreet recommendations in the plan that focuses on the issues of diversity, equity, and inclusion. The vision plan we've discussed, we will discuss today builds on Charlotte's momentum, while addressing challenges head-on to create greater opportunity for more people to prosper.

So, how was the plan created? The draft plans vision and recommendations are built on the foundation of what we heard from the community; their values, their hopes, and their aspirations that we heard through our engagement efforts. From the beginning, we wanted to meet people where they were. Attending events and festivals across the county, making sure we engage with people from a variety of backgrounds and cultures. Even after COVID hit and we began to experience the reckoning of national social injustices we continued to virtually engage with stakeholders, community advocates, neighborhood groups, gathering a wealth of ideas. Then the consultants and project team incorporated those perspectives into the draft plan document that you and the community are here to talk about tonight.

The document was released in July. The public was invited to review and comment on the plan. During a seven-week review period, we encouraged feedback by publicizing it through media stories, interviews, direct email to subscribers and followers, social media, and by making hard copies available at our 11 main library branches. When we released the draft document we reminded the community that this was not a finished product and that we needed to hear from them what they liked, what they felt could be improved, and for their suggestions on other ways that would help shape our Center City's growth. The community has cared about this effort, which is demonstrated by the many individuals that have wanted on the plan. In addition to the comments, we received online and through emails the team also met and asked for feedback from various stakeholder groups, neighborhood groups, and advocates such as the Northwest Corridor, Council of Elders, Charlotte Mecklenburg Climate Leaders, Tuesday Morning Breakfast Forum, Charlotte East, and North End Partners, just to name a few. All of the feedback was reviewed by the project team and the consultants and through this process, we uncovered new recommendations and revisions that were summarized and posted on the website. The process made the plan better.

So, what's next? Looking ahead the path we are on towards your consideration for potentially adopting this plan includes the Planning Committee considering referral of the plan to full Council for action. Potentially at your meeting on December 13<sup>th</sup>. After adoption, we will seek the endorsement of the plan by the Board of County Commissioners. Again, thank you for your time and we look forward to hearing what the community has to share this evening.

Ms. Eiselt said just to clarify that the action was to receive the public comments tonight, which we will with our public speakers, and then the Council will be asked to vote on whether we will accept the following recommendations at a future meeting. Thank you.

**Jennifer Appleby, 2317 Thrift Road** said I am here to show my full support for the 2040 Center City Vision Plan. As Co-Chair of the incredibly talented and engaged Steering Committee, I believe our project and planning team has captured the voices and diverse aspirations and perspectives, and dreams and priorities of our community, and have worked very hard to achieve our goals of building on the momentum of decades of bold and imaginative ideas. I believe this plan also reflects our goals of being even more intentional about enhancing, developing, and growing in a way that creates the opportunity for all give everyone a sense of belonging, and invites all to participate and share in the success of our center city.

Our theme from day one was all in with inclusivity being a key focus area. Well, none of us could have ever imagined that a global pandemic would disrupt our world and this important work. I believe it clearly showcased a need for us to pause, reevaluate, and work even harder to reimagine and prioritize our strategies and focus areas. I can tell you that everyone involved in this plan was all in on doing what was best and right for our

citizens and their center city. As the owner of a thriving business that depends on highly skilled creative talent, I also know this plan will help us and many other businesses like mine continue to attract and retain diverse young talent looking for a thriving and resilient and welcoming, and open city with an urban core that has parks, and green spaces, innovative mobility, safe and healthy neighborhoods, cool, and inspirational gathering spaces, and entertainment districts filled with art and food, and music being created and performed by beautifully diverse local artist, and creatives who feel welcome, supported, and right at home here.

Lastly, as the proud momma of two young daughters who will soon choose where to live after college, this plan has the promise of a thoughtful bold inclusive, and continued commitment to development and growth for future generations. I hope they will choose to put down their roots, start their careers, and raise their families here as I did over 25 years ago.

**Martin Zimmerman, 1616 Bonnie Lane** said thank you to the previous speaker for her vote of confidence for this plan and the interesting [inaudible]. I enjoyed that. As many of you on Council know, especially the members of the Transportation and Environment Committee, the Charlotte Mecklenburg Climate Leader Group of which I am a member of the Steering Committee has worked very hard over the last two years to bring climate change to the floor in this plan. We spent a lot of time specifically on parking issues but there are many many that we attempted and with some considerable success toward [inaudible] with the planning team for the plan and we appreciate all the collaboration that's gone on. We especially thank the members of the Transportation Planning and Environment Committee. We are sorry to hear that both Matt Newton and Julie Eiselt are not running for office again and we applaud their work and their support of our efforts.

I have three very quick items I thought I would mention to you. The first which Eric Zaverl will be talking about in a couple of minutes is parking itself. We are very helpful that there are parking maximums now with the help of the Planning Commission. I do want to emphasize that another corollary goal is to reduce parking in the center city, especially in Uptown and South End, and other core areas that already have or will have a greater implementation of the transit system and a variety of multimodal connects that are incoming to the [inaudible] in the years ahead. [inaudible] that ideas point number one. Point number two is chapter seven of the plan which outlines an implementation framework. There hasn't been much discussion about this. We applaud the idea of a Comprehensive implementation framework as stated in the plan between professionals and stakeholders. However, we do have a caveat, which is what we think that the leadership for that implementation process really belongs with the City rather than with the business community. We think that will assure collaboration between all parties that will assure coordination with the UDO (Unified Development Ordinance), with the Strategic Mobility Plan, and other city-sponsored initiatives. So, we are looking forward to that happening and we are looking forward to the City taking the primary lead on that.

The third item is the hybrid [inaudible]. We pushed hard to get attention in the plan for what we think and I think we will have other people is the inevitable switch to [inaudible].

**Jennifer Roberts 619 Clement Avenue** said good to see [inaudible] and great to be able to speak to this item tonight. So, I am also in support of the Charlotte Center City 2040 Vision Plan. I want to thank Center City Partners for adding to the draft plan they had based on conversations with the Charlotte Mecklenburg Climate Leaders on things such as mitigating urban heat. Our city is full of dark impervious surfaces, roofs, and pavement that make a warming climate even worse. So, the draft added smart surfaces as a goal to counter this. I would [inaudible] for the need to prioritize low-income areas of the City and neighborhoods with the shade structures, trees, reflective surfaces to make sure that equity stays a focus of this plan. Equity needs to be the center in every area. So, even looking at upgraded bus shelters, parks, and greenways, energy efficiency, weatherization, other amenities to prioritize the low-income black and brown neighborhoods that we know are within that two-mile radius. They have been formally redlined and disinvested and this is a way for us to correct that. I'm also happy to see the parking maximums, transportation demand management. The county ran a successful

program with a private sector when I was the County Commission Chair. So, reach out to the county for help on that.

Finally, we [inaudible] parking decks. Whether for a library or medical school, public money should not be supporting parking deck construction in the center city. We have plenty of transit options and they send the wrong signal to our state and federal partners about our commitment to sustainability to transit and to a low carbon future. The city around the country are having to look at adaptive reuse of parking decks that have become obsolete. So, we should show our funding partners we are serious about transit and transportation options or the grants might go elsewhere.

So, in conclusion, I am in support of the Charlotte Center City Vision Plan 2040, but I hope that you will not dedicate our public tax money to private parking decks. Thanks so much for Center City Partners' work on this and for all of you for looking forward to 2040 to a climate-friendly equitable future for all of us.

Mayor Lyles said good to see the president of our HBCU (Historically Black Colleges and universities), Johnson C. Smith University. Thank you for being down here.

**Clay Armbrister, 100 Beatties Ford Road** said I am president of Johnson C. Smith University. I had the distinct honor and privileges of serving as Co-Chair of this Center City Vision Plan Steering Committee along with my great friend Jennifer Appleby whom you heard earlier. The Chief Creative Officer of Ray Ward. This insightful committee of residents with diverse backgrounds from all over the county was a sounding board to test ideas, challenge assumptions, and contribute possible strategies. In fact, it was a steering committee member who offered one of our most prolific guiding principles, which is the need to quote, invest in underinvested neighborhoods, end quote. Charlotte

Charlotte has a downtown that we can be proud of due to the high aspirations and determination of our people and it is a dynamic place due in part to a long tradition of creating a vision plan every decade since the 60s to guide its growth. We've changed a lot since the City Council adopted the last vision plan in 2011. Now, many new citizens like me call Charlotte home. We also have different priorities and so it was time to uncover the communities new vision for what their center city should be in 2040. This plan needed to be responsive to these changes and focus on addressing the needs of residents from all walks of life. Specifically, through the plan's engagement efforts, we learned that it was important to the community to continue to build out our transit system. To add more public space, affordable housing, for a ride in shopping, museums, and cultural offering. But we also heard that building a city doesn't involve just brick and mortar. It's also about how the evolution of the urban core should be more equitable and provide an opportunity to support all of our residents so that they can benefit from Charlotte's growth and prosperity.

So, does the plan reflect the kind of place that the community envisions in 20 years? I think it does. If we can implement many of the plan's recommendations, we will be able to one, provide new integrated and accessible mobility options. Two, deliver essential services and amenities to neighborhoods, especially in under-served areas. Three, building more sustainable ways that benefit people and the planet. Four, better promote and support local talent, creatives, and small businesses. Finally, working together given all of the innovative thinking, ideas, and collective commitment that we have here in Charlotte we can make sure that everyone who lives here now as well as generations to come can thrive and have access to all that our city and region has to offer. Thank you for the opportunity to speak to you tonight.

**Eric Zaverl, 282 E. 36th Street** said tonight I'm going to give you an update. Last month [inaudible] spoke to you all during the public forum about the vision plan. I cut out some of the repetitive stuff from my colleagues mentioned already earlier. But we are very supportive. The update of language that was made in the document section 2d-2, eliminates parking minimums for new development and establishes parking maximums as defined by the unified development ordinance. We were happy to also see some changes in that goal two, that adds priority to active transportation projects that will raise the share of trips taken other than cars, and the mode share pyramid graphic that they

added will quickly communicate and visualize the goal of decreasing single-occupancy vehicle trips. Other welcomed new addition that we support are mobility as a service and modernizing the fair structure within the center city, which makes it more equitable. These changes will work in conjunction with the off-street parking maximums to increase social equity, raise the quality of life, and reduce our carbon footprint. We still have stressed that Charlotte needs to go a little further. Especially when it comes to parking. We need a comprehensive parking plan for the region. Our region, our community, and neighborhood activity centers, TOD Districts that are close, that back up to our single-family housing. That is missing and we need that comprehensive plan in conjunction, with the injunction of the UDO could be a part of the Strategic Mobility Plan. Whatever, its own item, it's something the city needs and would reduce the friction between residents and developers that occur at every rezoning meeting.

One other last suggestion with the City Vision Plan is that maybe it should be a little bit less about visioning and more about community area planning and the mapping process that was called forward in the 2040 Comprehensive Plan and implementation section. I think that would fit perfectly with the Center City Partners goals and get a jump start on that planning process and benefit the Uptowns family neighborhoods. I will send you the rest of my words to save you tonight. So, that we move a little bit further and [inaudible] a little bit shorter. But I want to thank the Center City Partners, City staff for making these changes. Especially the parking maximums.

**Tina Katsanos, 10010 Reinston Drive** said I currently serve as the Chair of the Climate Reality Project Charlotte Chapter. The Co-Chair of the Charlotte Mecklenburg NAACP Environment Justice Committee, and the Chair of the North Carolina State NAACP Environmental Justice Committee. I also work with the Charlotte Mecklenburg Climate Leaders and the City of Charlotte Citizen SEAP Working Group. Most importantly I am a mother and I am here to represent the future of my son Leo and the future of all of our children. I'm here to voice support for the 2040 Vision Plan. This vision plan makes up for the crucial gaps within the 2040 Comprehensive Plan. Especially with regard to our current climate emergency. Whereas I support all of the goals outlined in the 2040 Vision Plan, I would tonight like to specifically address goal six. Resilient low carbon neighborhoods. The strategies for obtaining this goal are truly innovated for a city like Charlotte. Creating resilient Innovation Districts is a strategy that has true potential to reinvigorate historically marginalized and disproportionately low-income BIPOC communities. West Charlotte could really benefit from this if it is implemented correctly and with necessary provisions to safeguard the homes of this long-standing residence.

I would also like to highlight recommendation 6B-3, which calls for leveraging private resources for the attainment of this goal. To be clear, individual taxpayers and nonprofits contribute the least to the climate crisis. The wealthy corporate entities headquartered in the center city are among those who have contributed the most to our current climate crisis. And current systems of governance on a national and local scale have enabled this. It is time for corporations to pay their fair share for mitigating climate change. I hope that folk more diplomatic than me like the City Council and the City Manager can begin to cultivate new types of relationships and partnerships with these entities so that they rise to the occasion of general and impactful corporate climate social responsibility. Given the recent MPCC report open summer, given the recent code red for humanity alert issued by those climate scientists clearly, we are nearly out of time for lessening the harm full impacts of climate change that are happening right now.

**Daisha Williams, 556 Oakland Avenue** said thank you for the opportunity to speak today on the 2040 plan. I'm the Environmental Justice Manager for an organization called Clean Air NC. Our organization has been partnering with the historic West End since 2016 to understand and prevent solutions towards the disproportionate impact of air pollution within the community. We've done this through many efforts by our most recent being collaborating with the West End leaders to implement a green district within the community to bring benefits of green spaces through increased health benefits, improved air quality, and climate resiliency. On that note, it's really encouraging to hear Councilmembers tonight express the need and importance of investing within the West End as well as seeing this highlighted within the plan. Especially at a crucial time for the

West End is experiencing disproportionate health impacts from air pollution and other sources of pollution in part because urban landscape we live in, but also or former Mayor Roberts touch upon because the history of redlining and restrictive covenants that have shaped the experiences of residents in the area. This has shown itself through persistent patterns of distributions and solutions and unwanted land uses. This obviously jeopardizes the health and safety of residents of the West End while they are also being compounded with issues of displacement and other social-economic concerns addressed within 2040. I mentioned this because this acknowledgment of disparate impacts in terms of health is where I feel the plan falls short. I just want to mention I do support it overall, but I do believe that the plan can benefit from including more measures that address the desperate and key need of health burdens that are associated with pollution driven by rapid development in Charlotte that primarily impact the West End. This needs to be addressed through all of the goals but specifically in goals four and six, which aim to address health but do not address disparate impacts that drive these health concerns. Within this, it is also recommended that the City and planner continue to work intimately with the West End not only to incorporate the items outlined in this bin but also to understand the health challenges and other challenges that our community faces and work to just actively improve the social [inaudible] of health. I just want to say that it is really outstanding to see the efforts may include the community input. I don't think I have ever seen something like it before, but this effort definitely needs to be extended after this process to ensure that these goals are actually being met. With all of that, I just thank the Center City Partners for their continued efforts on this plan and for adding recommendations such as smart services by climate leaders which address some of the things that I have touched upon. No, this is not an easy [inaudible] but I just really hope that we can use this opportunity to finally uplift those in our city that we have continued to leave behind. Thank you.

**Tom Wilson, 4700 Fireside Drive** said I'm the Vice President of North End Partners. I am here this evening to ask you for your support and funding for two project proposals that we hope to improve the quality of life here in Charlotte. The Board of Directors of North End Partners supports Charlotte Center City's Vision 2024 Plan as presented to the November 3<sup>rd</sup> Board Meeting of North End Partners held in the library of Martin Luther King Junior Middle School.

The plan includes Queens Park. This proposed park as described by our past President, Tony Koon, and the Executive Director of the Friends of Queen Park Eric Spelling. They describe it as a beautiful pedestrian-friendly park to be utilized and enjoyed by all people of Charlotte. The second thing that we want to bring to your attention is that North End Partners would like to thank Center City Partners, University City Partners for joining our support of the Mayor's Plan. Which allows safe crossing at the intersection of North Tryon and Eastway Drive so that children from Hidden Valley Elementary and Martin Luther King Junior Middle School can have better access to the new \$35 million Eastway Regional Recreation Center. The Mayor with her strong background in budget office steered us away from spending millions of dollars on a pedestrian bridge. She suggested that the skyrocketing construction cost would be more cost-effective and budget-friendly for us to look at having the City Engineering Department configure the traffic lights to make them more accommodating to the pedestrian crossing at that intersection.

North End Partners hopes the City Council will give both of these full support and funding to move forward together from Center City through North End and out to the University area. With all due respect Tom Wilson, Vice President of North End Partners November 22nd, 2020.

**Ronald Ross, 3108 Dawnshire Avenue** said I am the neighborhood President of Northwood Estates which is located off of the Beatties Ford Road corridor. As part of the Center City Vision Plan, I would like to lift up recommendations in regard to goal number two for the easy accessible mobility section, which recommends the completion of phase three of the Gold Line. Which is located in the historic West End neighborhood along Beatties Ford Road corridor. I would also like to make recommendations to the goal four health and safe neighborhoods. That would be to include and or establish resiliency hubs. These would be equipped and strategically located facility within Center City

Communities. [inaudible] facilitate resources and information for community residents to address normal day to day living concerns and needs, emergency situations such as disaster situate health care, daycare, job training, financial counseling, and persistence, legal counseling, and just community meeting accessibility for the community all-inclusive multipurpose facilities to be located within communities. I am in agreement with goal six in regard to the resilient low carbon urban neighborhoods. I agree with those recommendations wholeheartedly and I would like to reiterate that these ideas must be implemented in the grass-root communities that have been adversely affected by pollution from the highways, industrial facilities, trains, and the like that were purposely placed in or near my community and neighborhoods. I would like to briefly share the initiative among community leaders that are along with Clean Air NC the efforts to create a historic West End Green District along the Beatties Ford Road corridor to improve air quality, reduce carbon emissions, and improve health within these communities.

In late 2019 Mecklenburg County Commissioners directed an EPA regulatory monitor to be installed. Which monitors particular matter. Particular Matter causes asthma, heart disease, COPD, which is diseases that are common in my community. This air quality monitor is located behind Friendship Missionary Baptist Church in the sportsplex.

Mayor Lyles said it was just a public hearing. The next step is that this report goes to the Planning Committee of the Planning Commission and then it is scheduled for Council review in December and County Commission review in January.

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, and carried unanimously to Close the Public Hearing.
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## POLICY

### ITEM NO. 10: CITY MANAGER'S REPORT

**Marcus Jones, City Manager** said Mayor and Council I think we can make up a little bit of time that we lost in the action briefing. Two quick points and Brent Cagle will talk a little bit about the COVID-19 update that we missed. Then Dana Fenton as we start off with the Federal of State Legislative Agenda. So, if it is fine with the two co-chairs, he can just talk a little bit about the Powell Bill and we can catch up on what we lost at the action briefing if that is fine with you Mayor.

**Mayor Lyles** said yes, that's great.

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### ITEM NO. 4: COVID-19 UPDATE

**Brent Cagle, Assistant City Manager** said I would like to give you a COVID-19 update. I will move through this quickly. This is an informational briefing. So, I will try to move through this quickly. If there are any questions I will be happy to answer those, but I will try to keep this moving in the interest of time.

Tonight, we are going to be talking about COVID-19 related programs. We will also be talking about OSHA (Occupational Safety and Health Administration) ETS or emergency temporary standards. The federal contract requirements and our next steps.

Just a reminder of what we have done and what we are continuing to do. Again, I won't go through all of these, but I will say that these efforts combined have seen vaccination rates among City employee continues to rise even today. That is a good trend because we do believe that more vaccinated city employee leads to safer employees and the safer community that they serve.

There's really two things that I want to talk about tonight. There are three federal mandates for employees. One of them definitively does not apply to us. It is the CMS (Charlotte Mecklenburg Schools) rule. Which is the centers for Medicare and Medicaid Services. So, that one does not apply. However, OSHA ETS or emergency temporary standard 1910.501 applies to employers with over 100 employees. That one could or would apply to us if it becomes effective. Then executive order 14042 establishes a vaccine mandate for federal contractors. Again, this one would apply to us or the City in some circumstances where city employees are under the federal definition, federal contractors. Now, it is important to mention that all three of these mandates or rules are currently under legal challenge. So, these could change and they may end up not being enacted. But we are starting to make preparations for if and when they are enacted.

The OSHA ETS 1910.501, this is the OSHA emergency temporary standard that I suspect many of you are familiar with and it relates to vaccination, testing, and face coverings. In short, this OSHA requirement or ETS establishes what I am going to call an either-or option for employers. You can either have a vaccine mandate or you can allow unvaccinated employees to submit to weekly testing and show proof of a negative test on a seven-day basis or a weekly basis. So, it's an either-or standard. It's also important to mention that many cities, in fact, Mecklenburg County already has similar measures in place even without the OSHA ETS.

Federal contractor vaccine mandate. This is one that we don't see as much about on the news or get as much airplay in the context of public employers. But the federal contractor vaccine mandate stems from executive order 140.42 and it does not allow for either or. The executive order is very specific and it is only a vaccine mandate for all employees that this covers other than those with a medical or religious exemption with an approved exemption. So, that is the primary difference.

So, who is affected? I will let you read this, but it is basically any employee working on a covered contract, any employee working in a covered location. At this point, we have determined that we do have some employees to who this mandate will apply. Right now, at a minimum, it is employees who work at the airport and this is airport speak, they are employees who hold a secured identification display area or SIDA badge. So, that is not just aviation employees. It is any employees who are city employees, who are stationed at the airport. Could be HR (Human Resources), definitely aviation, police, and fire to the extent that they are located at the airport and only at the airport. We estimate that that is somewhere around 200 or less unvaccinated employees based on our vaccination status numbers. There are certainly more employees working at the airport than 200, but of the airport employees, about 200 remain unvaccinated based on our most current count.

Again, this goes into more of what I just said so I will move through. What employees need to know. So, this is really important. In December starting effective almost immediately the City will be providing more information to the staff regarding new requirement via our human resources department. We will be sending out FAQs and having HR managers at the department level having these discussions with employees. We think that they need to know ahead of these requirements. The week of January 9<sup>th</sup>, we would anticipate that all unvaccinated city employees who are not also federal contractors who fall under the executive order will begin weekly testing, who are unvaccinated testing for COVID, and then the week of January 15<sup>th</sup>, they will be providing proof of their negative test as they come in for their first shift.

The week of January 15<sup>th</sup> and to be specific on January 18<sup>th</sup> all City of Charlotte employees who are federal contractors as I mentioned at this time at a minimum it is employees who hold the Secured Identification Display Area (SIDA) badge will need to have submitted proof of vaccination to meet the federal contractor requirements. Now, I will say the caveat to that is we will continue working with the City Attorney's Office and others to determine if there are other city staff beyond SIDA badge holders that this federal contractor rule would apply to. We will continue working with city departments to determine if there are other federal contracts that will include this provision at some point in the future. The reason I mentioned that is federal contracts, what we have been told other than grant agreements, the federal government or federal agencies intend to include



a vaccine mandate provision in all federal contracts other than grant agreements moving forward. Aviation was notified by the TSA (Transportation Security Administration) as the first department, right. The first federal contract that's coming due, that contract expires and needs to be renewed on January 4<sup>th</sup>, plus 14 days which brings us to January 18<sup>th</sup>. I apologize. I know that was a lot of information to give you in a short amount of time, but I am happy to take questions.

**Mayor Lyles** said how are you informing the employees and are they having this kind of full briefing that they understand what's going on?

Mr. Cagle said yes, ma'am. So, we will start immediately with communications to employees at the department level and individually with those employees so that they understand what's going on and which of these requirements that applies to them. So, that they have ample time. We will be working with department heads, especially Ms. Gentry, our Aviation Director, and the HR Director to process the request for reasonable accommodations and also to evaluate if there may be some requests for transfers that we could or may be able to honor as we move forward. But that's why we thought it was so important to let you know tonight. So, that we can start having those conversations with employees. Really immediately.

**Councilmember Eiselt** said I have a question. If you can go back to the slide with the January 9<sup>th</sup>, January 15<sup>th</sup> information. I don't have it on our screen, but that is right. You were referencing all City of Charlotte employees. Of all of the workers working at the airport, how many of them are City of Charlotte employees overall versus how many people are out there working?

Mr. Cagle said sure. So, there are roughly 20,000 to 25,000 total employees at the airport. Of that, roughly 1,000 or so would constitute City of Charlotte employees, right. They receive their paycheck from the City of Charlotte. That's primarily the Aviation Department. Again, that includes other departments staff like Police, Fire, HR, Technology, other departments as well.

Ms. Eiselt said so we are really talking about a very small percentage of the people that are out there that are coming in contact with travelers and what not every day, correct?

Mr. Cagle said yes, so of the employers clearly American Airlines is by far the largest. Now, I will say the interesting thing about the federal contractor mandate, we are hearing about it a lot in the context of the private sector. I think we are all aware that American Airlines for example has an employee vaccination mandate. The reason they have that is a federal contractor. They hold contracts with the federal government. So, it's the same situation. Just a different employer.

Ms. Eiselt said I guess I am wondering about the other 24,000 really. To really understand how big of an impact this has. HMS, Skychechf, there as we have learned through other issues that have come up at the airport, those folks are not City of Charlotte employees, but they are not federal contractors either are they?

Mr. Cagle said that is correct and so legally we continue to review with the City Attorney's Office what's referred to as the flow down for tenants and contractors of the federal contractors sub-contractors in effect. So, we are still continuing to review the flow down so to speak.

Ms. Eiselt said the flow down.

Mr. Cagle said the flow down. So, if affects us does it flow down to additional agreements with others like HMS Host or others. That analysis continues to be underway, but you are correct. It is not given that a tenant like HMS Host would have the same requirement. However, there are many tenants like the airlines who will by virtue of the airlines being federal contractors.

Ms. Eiselt said I'm just thinking about the people. And I have expressed my concerns about this before being in the airport, a lot of them aren't wearing masks. We keep hearing that you guys don't really have much you can do about that except speak to their employers. So, I don't know. I just am asking because I think people have to understand really what we are talking about here. It's not a large percentage of people who are going to be compelled to get vaccinated. Our airports are crowded. There's a lot of people out there. It does concern me for the safety of travelers who have to follow federal mandates and wear masks and whatnot.

Mr. Cagle said I will say not by virtue of this agreement that affects our employees, City of Charlotte employees, but by virtue of other agreements. I believe that it is safe to say that majority of employees at the airport will be federal contractors simply because of the airlines themselves. The largest single employer out there this does apply to. Not because of our contract with the TSA, but because of their contracts with American Airlines, their contract with the federal government. American Airlines constitutes somewhere around 12,000 or maybe slightly more employees at Charlotte. So, they are by far the largest employer.

Ms. Eiselt said but some of those are contractors too?

Mr. Cagle said that is true.

**Marcus Jones, City Manager** said I think the two big takeaways, the first one is I guess earlier this Fall I had mentioned to the Council that we would wait for the OSHA information to come down before we went to a different phase. The phase that we were in initially, I guess people call [inaudible], or whatever the terminology is. So, all those incentives we have gone through that process. The last one being the healthy incentive, which we won't know until December 1<sup>st</sup>, how many individuals have signed up for that. So, as far as the City is concerned I am going to try to separate this federal contractor piece for a moment, is just that starting January we are going to have for those individuals who are not vaccinated weekly tests. So, that's the next step for the City.

Then we have the separate issue, which is not just specific to us, but other cities across the country are dealing with this, we have been speaking with the City Attorney's Office. I know that Patrick has several of his attorneys here today. I think it's safe to say that we have taken a narrow, I won't speak for you, Patrick. I'll try. We've taken a narrow look at this, a narrow definition. As Brent has been saying tonight, it has been basically locked into those individuals who have airport badges. For those individuals, I just don't believe we have a choice other than, because we are in this agreement with TSA. The first one to come down. These individuals would have to be vaccinated.

**Patrick Baker, City Attorney** said that's it. Yes.

**Councilmember Johnson** said I had two questions. Are there any departments in the City that would be held to a different standard than the federal such as Police or fire? Is that going to be handled differently?

Mr. Jones said right. So, that Councilmember Johnson is the crux of the problem, right. Is your 8,000 employees. Right now, we know that there is one segment of employees because of this federal contract issue that have this mandate. So, as we talk through this so that you don't have segmentation within your organization you go just fully. So, I just appreciate all of the work that legal has been doing with the team to try to deal with what we have right now. We have a contract which is January 8th.

Mr. Cagle said January 4<sup>th</sup>, plus 14 days.

Mr. Jones said yeah plus 14 days that that option goes away for that contract. Those individuals are covered by that contract.

Ms. Johnson said my second question is at the beginning of the slide presentation, slide 3 I think we might have skipped over that in respect of time. But I want to make sure the

public is aware of where we are as far as the water statues or the City Water status. Can you just go over that information? It's on slide 3.

Mr. Cagle said so I apologize ma'am. One thing we did in the interest of time is I should have said that and I apologize. I got ahead of myself. We are prepared to give you a water update. What we would ask is could we bring that to you during the Strategy Session to provide you with the water update.

Ms. Johnson said since it's on the slide show if we could just ask. I have been asking for this for a while. So, the citizens do know that exemption has stop and that they are subject to termination. I just want to make sure that information is out there.

Mr. Cagle said yes ma'am.

Ms. Johnson said according to the slide that I have the disconnection moratorium ended October 4<sup>th</sup>, 2021. If you could just share that information because I have been asking for this information. I think it's important that our public know this information and if there are any resources for them for help.

**Shawn Heath, Special Assistant to the City Manager** said as you'd indicated the disconnect moratorium for Charlotte Water expired on October 4<sup>th</sup>. After having been in place for roughly 19 months. So, there are a number of things that we are doing today in order to demonstrate our continued support for customers. One is a continuation of our aggressive outreach to help customers set themselves up on payment plans. So, any customer that's on a payment plan will not be disconnected so long as they are honoring that payment plan. We continue to work with Dream Key Partners and Crisis Assistance Ministries to make sure the customers are aware of financial relief to help them with their water bills as well.

Ms. Johnson said how many disconnections have been done since the moratorium ended?

Mr. Heath said by design the approach is a gradual phase-in. so, roughly 800 disconnections were done during the first month from October 4<sup>th</sup> to November 4<sup>th</sup>. It will take us by design five or six months to get back to what would have been pre-pandemic disconnections of about 3,000 per month.

Ms. Johnson said I just want to make sure because seems like a lot in a month. I don't know that the public was aware that it was going to happen that quickly. I'm not sure. I just wanted to make sure we got that information out there.

Mr. Heath said actually to the credit of Angela Charles proactive outreach started in the early calendar year 2021. So, the October date was a date that was established and communicated very early. There were over 20,000 direct person-to-person phone calls that were made to customers that were struggling to pay their bills.

We continue to have the outreach in place today.

Ms. Johnson said the recommendations for them are to call?

Mr. Heath said yes, call 311 for any customers that have questions about either payment plans or relief programs that they may be eligible for. Thank you.

**Councilmember Ajmera** said pm the vaccine. Is there anticipation for other departments who are receiving federal funds to have similar requirements down the road?

Mr. Cagle said so we continue to evaluate that. One thing I will say is again this does not apply to grant agreements. So, most of the funds we receive are from federal grants. Federal grant agreements were specifically exempted from this requirement. What it is, is other agreements like a lease. So, the airport for example leases space to the FAA (Federal Aviation Agency). The next time that lease expires the FAA will require to renew

that lease. This provision will go in it. So, the short answer is yes, we continue to look at that and try to identify additional federal agreements that do not grant agreements that this could apply to. Now the other caveat to that is it doesn't apply to a lease until it expires and needs to be renewed, right. It just happens that aviation has an agreement with the TSA that expires at the end of December and needs to be renewed on January 1<sup>st</sup>. so, there may be other agreements that ultimately this will apply to, but they may not expire for six months, eight months to years. We continue to look at that to evaluate it.

Ms. Ajmera said so I think as we are working with our legal department we will consider all of that as more and more leases are coming up for renewal. What does that mean, right? How are we being consistent in our approach? Thank you.

**Councilmember Bokhari** said I just want to make sure I'm hearing this right. As of January 15<sup>th</sup>, if you are a City of Charlotte employee that falls in this bucket even if you are willing to get tested every week you will be terminated from your current job?

Mr. Cagle said the federal contractor mandate does not allow for testing as an option or alternative to vaccination. We will work with HR to accommodate all requests that we can. So, I don't know it's as simple as you will be terminated.

Mr. Bokhari said so you will be terminated from your current job if you're a City of Charlotte employee that falls into this federal employee bucket even if you are willing to get tested every single week, every single day you will be terminated from that current job? Is that correct?

Mr. Jones said I would say no. Let me tell you why. Let's use the one example that we talked about this weekend. So, we have police officers that work at the airport, and let's just say there is a police officer that's not vaccinated. He may ask the Chief can I have reassignment. So, what we are trying to figure out is how can we accommodate our employees as it relates to this.

Mr. Bokhari said I chose my words very specifically for the reason which is you cannot work in that job anymore. Your current job you will be terminated from what you try to do beyond that is not my question.

Mr. Cagle said If you are a federal contractor or at a federally covered workplace the employer does not have the option to offer testing as an alternative to vaccination.

Mr. Bokhari said so I will go ahead and answer my own question then. Yes, that was the answer to that. I think this is a very slippery slope. I think we should have our legal department pushing back right now on the federal mandates that are pushing towards this path and we should be seriously contemplating the risks of even anyone bringing up doing this in other departments or expanding it from here. The vaccine is very important. No one's trying to make that argument whatsoever. But when you get a vaccine there is risk involved and people certainly make decisions based on risk. If they are willing to get tested every single day to come into work, I mean that tells you something right there. That it's not something they are taking lightly. I think we need to be pushing back on these mandates. Not rolling over and just accepting them because, at the end of the day, where there is a risk, people make decisions. As long as we mitigate that risk with testing and other options like that I think us rolling over and just allowing something like this to happen basically Merry Christmas employees that do a lot of work for us, you don't have a job anymore because you weren't willing to take that risk is not the right message we want to send.

**Councilmember Phipps** said with respect to the weekly COVID test, I understand that that is a pretty expensive option. Have we come up with any cost estimates for this particular activity?

Mr. Cagle said so we have but I will point out and our plan is under the OSHA ETS our plan would be to implement testing according to the OSHA ETS guidelines all weekly testing is the responsibility of the employee.

Ms. Ajmera said yes so, I just want to follow up on Mr. Bokhari's comment. I will not support us pushing back on that. I just want to go on record saying that. I think there is a reason why the federal government is mandating it. This is about the safety of our employees. This is about the safety of all of our residents. So, I will not support any pushback just to be on record. Thank you.

**Councilmember Driggs** said so, I'm not sure if you covered this but specifically how many employees do not have a testing option. How many Charlotte employees? What is that number? Then how many of those are vaccinated? So, how many people are we talking about who are not vaccinated and who have a big problem once this becomes effective versus the total number of employees that are affected by this requirement?

Mr. Cagle said so total number of employees at the City of Charlotte is roughly 7500 to 8,000 depending on when you look. It changes all of the time. The City of Charlotte employees who have a SIDA badge is roughly 1,000. Ms. Gentry will provide you with the exact number tomorrow or in the future. Of that roughly 1,000 roughly 200 or less remain unvaccinated. So, we are talking about a population of about 200 unvaccinated City of Charlotte employees.

Mr. Driggs said those are people who did avail themselves to our bonus program right? I mean we did offer cash.

Mr. Cagle said that is correct.

Mr. Driggs said so one assumes that they have conviction about not getting vaccinated and that's going to be a problem.

Mr. Cagle said now again, I want to reiterate I said this earlier, but I also want to reiterate that the vaccine mandate there is not a testing option. However, there is a requirement for a medical or religious exemption to be granted a reasonable accommodation. So, again our HR department will manage both of those processes as they do in general, COVID-19 or otherwise, and will evaluate the request for reasonable accommodation for exemptions from that and the federal contractor mandate does allow for that. In fact, it specifically says you must provide that. So, we will do that.

Mr. Driggs said that could be an answer for some of them. Are the others all airport employees?

Mr. Cagle said so again this is confusing. So, these are all employees who work at the airport. Not all of them are Aviation department employees. Either they are City Attorney's Office employees who work at the airport every day. So again, it's all City of Charlotte employees. It's mostly Aviation Department employees, but it is also some other departments employees as well; Police, Fire, City Attorney's Office.

Mr. Driggs said right so we have 200 people who don't all work at the airport who could be in this position if not being vaccinated and being required to be vaccinated by the federal mandate. Do we know how many of those might be able to be employed by the City and some capacity that doesn't have that requirement associated with it? How flexible are the occupations of the people and does it come down to having to fire them or is it possible that we can reassign them?

Mr. Cagle said we will be conducting that analysis and working with the employees individually, yes.

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#### **ITEM NO. 11: 2022 FEDERAL AND STATE LEGISLATIVE AGENDAS**

**Councilmember Winston** said on behalf of myself and Mr. Bokhari who is the Co-Chair of Inter-governmental Relations, have this short report. The Inter-governmental Relation Committee accomplish one of its major responsibilities. That is October 18<sup>th</sup> meeting by

recommending a proposed 2022 Federal and State Legislative Agendas for the consideration of the Charlotte City Council. On November 8<sup>th</sup> Mayor and Council had a very good discussion on the agendas. As Mayor and Council raised several questions concerning the bipartisan infrastructure plan, the Build Back Better Act, H1B Visas, and band the box. On November 15<sup>th</sup> the committee held its monthly meeting and did not make any recommended changes to what was presented to Mayor and Council on November 8<sup>th</sup>. Nonetheless, two additional issues were raised for possible inclusion on the 2022 State Legislative Agenda that will be reported out during the committee report-outs at the December 6<sup>th</sup> Strategy Session. In both cases, the committee decided that neither issue is suited for advancement in the 2022 short session. So, the committee decided not to ask for a change in the recommended State Legislative Agenda at this time.

Those issues are photo enforcement related to red lights and speeding. As well as aging in place related to the thresholds that are in place for the elderly and disabled to qualify for the home set inclusion Exclusion Tax Relief Program. We will talk about at the Council's pleasure the first meeting of December. With that, I will turn it over to Mr. Fenton who will update us on some issues that have arose out of the North Carolina State Budget

**Dana Fenton, Inter-governmental Relations Manager** said for the record I am the City's Inter-governmental Relations Manager. I am pleased to be here with you this evening. First, let me say before I talk about the general assembly for myself and on behalf of our City's Federal and State law [inaudible], thank you for your support of our efforts to advance the critical issues on behalf of the City this year. I know that you all have done a lot of work too and we really do appreciate all that you are doing. The issue that Mr. Winston raised about recent action by the North Carolina General Assembly, last week 2021/ 2023 State Budget was approved by the General Assembly and signed into law by the Governor. We had talked quite a bit before about a lot of the issues that were in there, having to do with a policy issue, related to Storm Water, and things like that. A lot of those issues were taken out of the final budget. But there was something there that we were surprised was going to be brought forward again. That was the continuation of the Powell Bill reduction for the City in this fiscal year and for the next fiscal year.

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#### **ITEM NO. 5: STATE POWELL BILL ALLOCATION UPDATE**

**Dana Fenton, Inter-governmental Relations Manager** said what we are doing right now and what we are committed to providing the Mayor and Council, and the City Manager and the Director of Transportation, especially with a better understanding of the context behind this decision which should help you make a more informed decision going forward. We know what happens. We know the process. We don't know why it happened. At the same time, I would ask you don't allow this setback to overshadow the accomplishments we have been able to achieve this year. We've had quite a few in both the State and Federal Agendas. Certainly, we look forward to trying to find out more about the context of that decision.

Finally, your teams are looking forward to working with you in the coming year on the proposed Federal and state Legislative agendas that are up for consideration tonight. I will be glad to stand for any question, Mayor.

**Councilmember Graham** said what was the financial impact of the loss of the funding if I'm hearing it correctly? You indicated that we lost funding from the Powell Bill?

Mr. Fenton said yes, what happen last year Mr. Graham is that was put in place, we thought for a one-year period a temporary reduction in the Powell Bill allocation to two-thirds of what our fiscal year 2020 allocation was. That evolves a loss of revenue in FY21 of about \$6.8 million. As they were going through the legislative process this year, the initial house and senate budgets had restored that funding. Well, the final budget came out and they have decided to keep that policy in place for at least the next two years. So,

we will be at two-thirds of the FY2020 allocation in our fiscal year 22 and our fiscal year 23.

**Councilmember Ajmera** said thank you for an update. What department would be impacted by this? What pool of funding is this?

Mr. Fenton said this Powell Bill funding is for local street maintenance. The Charlotte Department of Transportation administers that program.

Ms. Ajmera said street fundings [inaudible] street lights.

Mr. Fenton said I believe it's things like pavement, curbs, gutters, sidewalks. Things like that.

Ms. Ajmera said we already have a huge backlog. So, I don't know what this is going to do. I mean this is going to further put us back with the backlog we already have.

**Councilmember Eiselt** said if your done Ms. Ajmera. I think you are pointing out something that is really accurate. I hope the public hears that. When we are not able to fix streets, fix sidewalks, whatever, some of that money is coming from this bill. And the State just made a decision to cut it from us. How many million?

Mr. Fenton said compared to the fiscal year 2020, it's \$6.8 million below that allocation.

Ms. Eiselt said OKAY, I think we do need an answer from the State on that. It's one of the most basic things that people expect of us. To have clean water, to have safe streets, to have roads that are paved. We often talk about the new things that we want, but we've got to maintain what we have. It's expensive. This isn't the DOT budget. So, we can't even say it's because of the problems in DOT, correct? This is not a DOT budgeting issue.

Mr. Fenton said this program is in the NC Department of Transportation budget. At the same time, there was a lot of other funding that was provided for other things. In fact, there was also an increase in overall Powell Bill funding that we were not able to participate in because of this. So, I think there is a lot of funding out there.

Ms. Eiselt said so just to clarify, it's not other people got an increase because we got a decrease. It's the total of Powell funds was increased and we had our reduced?

Mr. Fenton said yes.

**Marcus Jones, City Manager** said so I asked Dana to present this tonight. As Dana said early on, we don't know what happen. So, we need some time to figure out what happened. But I know a message went out in a memo to you. I thought that this rose to the level that at a bare minimum we need to do more than a memo, make sure that you know what the issue is. Especially while you're talking about a legislative agenda. I didn't want you to move forward on this and you say well thanks for not telling me. But in defense of Dana, not that I have to defend him, he is great at what he does, he just needs some time to figure out what happens.

**Councilmember Winston** said just to follow up on Mr. Jones' comments. Again, we will be bringing the legislative agenda to full Council's consideration on the first of the month. So, if there's any type of alteration that we need to put on the recommended legislative agenda. We will have the time between now and then and at that meeting to discuss and figure out what we want to do as a Council.

Mr. Fenton said I was going to let Mr. Winston know that the way that the current proposed legislative agenda is phrased would enable us to move forward on this issue if needed.

Ms. Ajmera said we don't know what exactly happen and you're going to bring that back as you get more updates. From what I understand it looks like the methodology has changed because of the overall funding increase, but we didn't get our funding decreased.

Mr. Fenton said the statutory formula for distributing the Powel Bill funding is not changed. There was a provision in the budget that made a change for the next two years that affects us and the City of Raleigh.

Ms. Ajmera said got it.

**Councilmember Phipps** said is it my understanding then that this issue crept upon us and that we were surprised by it and did not have an opportunity to lobby our delegation to help us in this regard?

Mr. Fenton said let me share with you when we found out it was last Tuesday morning, November 16<sup>th</sup>. In that a short while later the Governor came out and said that he would be signing the budget bill when it reached his desk. He did just that on November 18<sup>th</sup> when it passed. So, we didn't have any time to really do any lobbying. Also, the negotiating process between the Governor and the House of Senate Leadership on the budget went on for about two months. There was a very very tight clampdown put on the flow of information about what was in the document they were discussing with the Governor. Whether this was in there at the time or not, we don't know. As I said before it was surprising.

**Councilmember Bokhari** said I think you'll find Dana when you follow up on this that it will follow a theme which is a valuable lesson for us to learn here, which is we can't 300 days a year find opportunities to thumb our nose at Raleigh and the General Assembly in a [inaudible] state and expect to not have a collaboration with partners up there who are prepared to go to bat and battle for us for things we need. I mean it is a very important lesson that too often we forget when we have a session here. We have to do that. We have to understand that if we treat them like some far-off problem rather than a collaborative partner, we will continually find ourselves in these situations where it's we who end up suffering.

Ms. Eiselt said well that's obvious.

Mr. Bokhari said facts hurt sometimes.

Mr. Graham said the fact is we got a State Government that doesn't recognize and honor urban communities. It's just simple. We produce more revenue in Charlotte, send it to Raleigh, and get less in return. So, it's not about having this collaborative relationship with the General Assembly, it's [inaudible] to respect the fact that urban communities like Charlotte or Asheville or Greensboro or Raleigh provide value for the State that we support the economy [inaudible]. We support rural areas. This is nothing new. I can tell what happens. I've been serving for 10 years. Somebody pulled it.

**Mayor Lyles** said how did they decide to pull it or whatever, we will just have to try to figure it out as best we can. We may never know, but we know that we are different. We definitely know that. So, when we have the representation here in Charlotte that we have and we are in a majority city with a minority in the legislature, it's just sometimes what you would expect and I'm not so sure how. We've listened a long time and worked hard on this. I think that it's sometimes just what happens. But we will inquire.

Mr. Fenton said this item was on the agenda tonight for approval of the 2022 Legislative Agendas for both the federal and state levels.

Mayor Lyles said it was on the agenda for action to approve the Intergovernmental Relations Committees' recommendation. Is that going to be done tonight or in December?

Mr. Winston said yes. We have a further discussion at the Strategy Session on the first week of December about the other items that we discussed in the committee.



Motion was made by Councilmember Ajmera, seconded by Councilmember Newton, and carried unanimously to approve the Intergovernmental Relations Committee recommendation to approve the 2022 Federal and State Legislative Agendas.

Mr. Phipps said are we saying then in view of what we've learned tonight about the Powell Bill that there is no way we would seek to include that in our Legislative Agenda as a possible attempt to rectify?

Mr. Bokhari said I think what we are saying is that it is inside there in the wording we have that we can incorporate the details that we can go back and lobby for that without any changes necessary.

Mr. Fenton said specifically it can be addressed through the mobility position that's part of your State Legislative Agenda. It talks about state and local sources of revenue for many things like roadways which this would encompass.

Mr. Phipps said thank you.

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## **BUSINESS**

### **ITEM NO. 12: ATRIUM HEALTH INNOVATION DISTRICT INFRASTRUCTURE REIMBURSEMENT AGREEMENTS**

Tracy Dodson, Assistant City Manager said we were last in front of you on this item on November 1<sup>st</sup>. Since then, we have continued to have an ongoing discussion about the project. A few questions have come up. So, we thought it was a good opportunity to address the questions to all of you at once.

I want to remind you that this is more than a medical school. The medical school announced about a year ago this is an Innovation Campus and it is bigger than just a school. It's about growing jobs in our community and the new industry sector in our community. But part of what makes this really special is that this is being designed in a way to offer jobs and upward mobility opportunities for a lot of people in our community.

So, since our last meeting here's five questions that we have heard from several of you. One, why are we investing in the Innovation District if we know the medical school is coming? Is this a competitive project? Two, why does the proposal include a 14-acre site on North Tryon for affordable housing? Three, why are we investing in parking? Four, can the site have a clinic? And last, how does our investment work? I think there was some confusion in the way that Council Action was written.

So, to the first question. The first question is really about competitiveness. I remind you again as I said medical school is only a part of it. It's about 300,000 square feet of the 1.5 million square feet of a mixed-use development that we are looking to bring here. We'll include education uses, research uses, offices, retail, and housing. I've been involved with this project for well over a year and I can tell you that they have talked about other sites outside of Charlotte. But we have had many meetings where we've talked about the desire to have a medical school in Charlotte.

Our investment is not about competitiveness. It's about creating this campus that doesn't then need to compete for companies to come. Companies will come because of what's on the campus and what is all here. The other thing is that if this builds the success like we have seen in other places there will be a need for a new building about every three years. Our investment in this phase one infrastructure allows that to happen. That example we learned when we looked at [inaudible] from Philadelphia which the Wexford team was the developer. You grow companies in this Innovation District. They grow out of that incubation space. They need a place to go and that stays on the Innovation Campus. The last thing I will say on this is typically we compete when we have business

investment grants. These are actually tax increment grants. So, we do these with projects throughout our community that we feel like offer a larger community benefit. The Eastland Mall site had a proposed tax increment grant. Ballantyne reimagine had a proposed tax increment grant. Those are just two recent ones that we did. It's not about competitiveness, but about supporting a project that brings something bigger to the community than the project itself.

So, the affordable housing. The question about the 14 acres. I want to first remind everybody they are committing to 5% below 50% AMI (Area Median Income) in phase one. This is upfront. But in addition, they have offered a 14-acre site on North Tryon. This would have a minimum of 400 units. They are proposing a portion of that be for homeownership affordability. They could do more if they did not do the homeownership. That number could go up to 600 or 1,000 units on site. I remind you that phase 1 on the Innovation Campus is only 350 sites. So, this one site can achieve more affordable housing units than you have in a total unit of phase 1 on the Innovation Campus. The other thing is this is a site that is close to transit. It also has a land value of \$20 million. I can tell you that I got a call the day after our November 1<sup>st</sup> presentation saying that they were disappointed to this site was essentially taken for affordable housing because they had just made a market-rate offer on this site to Atrium to purchase it for a different development. So, there is a market desire for this site already. I think having it go in this particular location for affordable housing is a big win. On top of that is the number of units that we have. It's also important to note that the 5% of on-site on the Innovation Campus is about a 2-3 cost differential than building on this site. So, that 5% is costing about \$10 million to deliver and that's just based on the type of construction and the level of density that you have on the Innovation Campus. We felt as though providing some on-site as well as the 14-acres site was a good option to achieve a good number of units in our community and across our community.

The third question was why are we investing in parking. You'll remember this slide I presented most recently at the November 1<sup>st</sup> meeting. It shows a total cost of infrastructure at \$94 million. As I've mentioned this infrastructure necessary to launch a successful project and provide some run room for the development to be a success.

So, the request was to support \$75 million of public investment in the initial phase of infrastructure. This does include parking. There is a total of 1200 spaces proposed for the site and ask that the public would invest in support 800 of those spaces. These 800 spaces would be free to the public and on weekends and help support other community events such as Panthers games or concerts that are in the uptown area. Of the 800 spaces, 120 spaces are intended to support the pro park. This is an existing county agreement. Those spaces are accessible and free to the public 24/7. Having this centralized deck also creates an opportunity to enhance other mobility options throughout the Innovation Campus. As well as I mentioned before, supporting other community events. Atrium has a commitment to sustainability. They have started to look at innovative ideas like EV (electric vehicle) buses throughout the site that can get people from the deck to other places on the site or things such as how do we better connect to our existing transit system.

The fourth question was could we provide an onsite clinic? As we started to look at this we realize that the CMC Myers Park Clinic is located at the corner of Kings Drive and East Boulevard. So, this is an existing clinic that currently has 60 providers and has supported 64,000 visits in a 12-month period. That's more than any other clinic that Atrium has. But they do have four other clinics in our community that have supported 152,000 visits. There are four other clinics that are planned. I'm actually in conversation with them because three of them are in Corridors of Opportunity. We are looking at the Eastland site and we've also been talking about where they place their clinic in the West Boulevard area. This is care that is provided on the sliding scale to patients based on what patients can afford. So, as we looked at the clinic site we realized that the Kings Drive site is actually closer to certain neighborhoods such as Cherry than the Innovation Campus Site. When I google mapped it, it was 1.1 miles versus 1.4 miles between the two.

The last question that we have up here is essentially what is our investment? How is our investment working? I received a couple of questions today about confusion with the RCA. What we are proposing is that the city supports a \$60 million tax increment grant. These are typically done both city and county jointly in the grant. That is what we are proposing here. The TIG (Tax Increment Grants) are reimbursement of newly generated property tax of which the city collects a third of that and the county collects 2/3rds of that. The term of this reimbursement would be over 15 years. If the county approved the same action, their 2/3rds would be part of it. So, I think a lot of questions have come in are we suggesting that the city is paying for the \$60 million? No, what we are suggesting is that we pay into our third of those \$60 million. If the county perhaps didn't approve the tax increment grant, I think the project would change and we would be back in front of you to talk about how it's changed. But because they take a vote from both elected bodies that's why we bring it to you this way.

Then also we are proposing a \$15 million CIP reimbursement. It's really important to note that it's a reimbursement. They do the work then they get reimbursed for the work. So, I want to finish by reminding you of all of the benefits that our community is winning through this project. Atrium and Wexford have committed to establishing a Community Advisory Council. This Council will ensure mechanisms for education, talent pipeline, workforce development, reach all parts of our community. This Council would also ensure community engagement throughout the implementation of the district. And think about how the district's success can also contribute to the community's success. This project will provide education and training opportunities across the community where there will be a special emphasis on CMS with K-12. There are programs such as the Innovation Fellows that will be focused on the elementary school level. This is a program that is that Wexford is familiar with from St. Louis. It will be modeled after that. Firsthand it's a program out of Philadelphia that is targeted towards middle school students. Then we will also have partnerships with other organizations like Charlotte Goodwill, and JCSU to ensure that we are providing opportunities and reaching all aspects of our community.

In addition, there's been a mention of the \$5 million towards the Bishop Battle Scholarship Fund. Five million committed to MWSBE (Minority, Women, Small Business Enterprise) incubation. As well as we mentioned last conversation, a commitment towards an MWSBE goal of 20%. Affordable housing, we have discussed that one in a previous slide.

Lastly, the economic impact. This is a 26-acre mixed-use development. Remember I mentioned this is much bigger than just the school Our public investment will leverage %1.5 billion in private taxes. This will increase property taxes generate on the site to \$8 million. Currently, we generate about a quarter of a million dollars. So, we are talking about a 3,000% increase in the taxes generated on this site. This will create more than 11,000 jobs and remind you that not all of these jobs are a full spectrum of job types. Forty percent of these jobs will not require four-year degrees. Lastly, it will have an \$811 million economic impact for our community. So, that was a lot. I know it's getting late. I'm going to stop there to see if you have any questions. This last slide I'll just point out is the various conversations that we've had and touchpoints that we've had with the Council along the way.

Mayor Lyles said before we have questions, I thought it would be best to hear from our speaker so that we can include everyone's question as we go through this.

**Don Jonas, 3615 Henshaw Road** said I lead Atrium Health Social Strategy and Impact Team. Some of you may remember me at [inaudible] where I spent about 10 years providing health and wellness services to very low-income folks. But one of the things I learned in that job there was how people are in need of health care and access to health care but so much more. These social determinates of help. And tonight, I wanted to talk about affordable housing and some of the various ways that Atrium Health has already invested in affordable housing. So, I speak tonight in support of the tax increment grant for the new medical school and Innovation District. As you consider the merits of this investment, I wanted to share a few of the ways that Atrium Health provides affordable housing and partners with many others to reduce homelessness in Charlotte. This includes a recent \$5 million low-interest loan to purchase Hill Rock Estates to help Roof

Above and others at 340 affordable housing units in Charlotte. An additional \$5 million loan with the local housing impact fund, which will soon reach a goal of providing an additional 1,000 affordable housing units to the market. We work with Dream Key Partners to provide housing education and access down payment assistance for teammates. We work with Crisis Assistance Ministries to assist with other basic needs like utility assistance to sustain housing. We employ social workers in our ED to help patients at risk of experiencing homelessness. We train medical workers in healthcare hot-spotting to recognize and learn to help individuals needing shelter. Our behavioral health team has a program for younger people at risk of psychosis, which we know could lead to being unhoused. Our behavioral health helpline is open and available to anyone in crisis and needing assistance on a range of issues including housing. Our restorative pathways program was city startup labs that provide employment for justice-involved individuals at risk of being homeless. We partner with Charlotte Center for Legal Advocacy to help patients avoid or delay eviction from their homes. Our CEO, Gene Woods co-chairs the community task force, developing recommendations for House Charlotte that can make homelessness rare, brief, and non-reoccurring. Part of the strategic plan that will soon be released. Earlier this year when residents were relocated from the North End tent city encampment, we provided virtual health assessments. We've also been delivering medical care to individuals staying at the COVID-19 hotel since its inception. These are just a few of the many ways Atrium Health works to expand affordable housing and reduce homelessness in our region. Most of these actions take place behind the scenes away from the cameras and the public spotlight. We do these kinds of things for affordable housing, food security, and many other pressing issues because our patients and the community needs us to step forward. Through all of this, we remain centered on or for all health care missions.

**Sebastian Feculak, 3008 Enfield Road** said glad to be back here again. I'm the representative for the Association of Iron Workers affiliated with the Building Traits Council. We are responsible for training and representing workers across the broad spectrum of traits of many construction projects across this region. But I will let some of my partners here speak on some of those details later and about our apprenticeship programs. Which graduate hundreds of apprentices each year in the trades.

But I wanted to ask about the city's public-private partnerships. I've been in contact with many City Council members and County Commissioners over the past couple of months. I appreciate everyone's time during that period. While researching the new Innovation District, I did find that on April 21<sup>st</sup>, 2021, UC Davis and Sacramento actually worked on a similar innovation district. They released a 90-page agreement and a regional economic and city fiscal impact study on their own innovation district. This highlighted the broad impact across the regional economy about basically how \$1.5 billion in construction would ripple through their communities. This report also highlighted an agreement around their innovation corridor with the same developer that's here and discussed specific goals and functions between the city government, its departments, and the private entity defining goals in how the different bodies will work together. A lot of it also discussed how they would work together under the same roof with the city and work with the different community partners and workforce development organizations.

So, my question here basically comes down, will the Building Trades be a part of this conversation as well. This isn't so much to kind of push back on development but I think we need to be really specific about the opportunities that we offer for our residents here because we are discussing jobs and construction that can make folks between \$50,000-\$90,000 a year and make sure that they can work here and live here, gain the benefits, and sustain their families. The Sacramento UC Davis Agreement actually spent almost three years in discussions and they held over 90 community meetings engaging all community partners. They negotiated for six months before the agreement was fully released.

Now our building traits are a big part of many large projects across this country. Our training director and myself actually stood alongside Mayor Bowser in DC a couple of months back when we completed the Fredrick Douglas Bridge. We also worked on similar agreements with the George Washington University and Universal Health Service in DC

as well as the Howard University Hospital. So, this isn't something alien to us. We can do these jobs. I'm aware that there has been conversations or at least some contact with Rock or Goodwill and some of these other outfits to support construction jobs, but from our experience, those kinds of programs maybe get a couple of folks interested in the traits but we graduate hundreds and have thousands of members.

**Melissa Reyes, 808 Shareview Circle** said I am an electrician with the International Brotherhood of Electrical Workers representing roughly 850 electricians in Charlotte. I'm here today because I want to ask you that for any future construction projects that will be subsidized or given tax money as an incentive that you ensure that the companies that are working on those projects are operating ethically and provide apprenticeships Registered with the Department of Labor. My journey in the trade changed my life in a way I never thought possible. I was raised in North Charlotte, living first in the Hidden Valley area when my parents moved here in 93. Then in the University area. I ran away from home at the age of 15 and graduated from Vance High School as a McKinney-Vento student. After high school, I struggled working dead-end jobs in the restaurant industry, and one day I was offered a job doing electrical work. It paid \$100 under the table and at times I got shorted because the contractor did not have enough funds to pay his workers. I was the only person on the job that spoke English. We had no proper training and we were misclassified as independent contractors. While this seems like something that could only happen on low-profile jobs, I worked at several Charlotte Mecklenburg schools for this person.

When the work dried up I choose to pursue the electrical industry and found the IBW Apprenticeship Program on the internet. I applied and upon completing my life did a complete 180. I enjoy 100% employer-funded health care, three pension plans, and a \$29 an hour wage. I went from being a citizen that uses welfare programs to a contributing taxpayer, but again this story is not the same for all construction workers. While on the job I talked to various people and as recently as a few months ago I spoke to somebody who told me he was working as a misclassified worker here in Charlotte. If this project is going to be subsidized, we need to ensure contractors that engage in misclassification are not taking part in it. Worker misclassification cheats the government out of taxes. Usually, the check cut for the workers is written off as an expense and the worker does not report the earnings to the IRS. It also cheats the worker out of workplace benefits such as worker comp, unemployment, and health insurance. Furthermore, these workers are not covered under workplace protection laws because they are being misclassified as independent contractors. So, again I ask you to closely examine companies that are profiting off of our tax dollars. Thank you.

**Ashley Hawkins, 5527Larchmont Avenue** said I'm the President of the Southern Piedmont Central Labor Council. It is a pleasure to speak before you tonight. I stand here with my brothers and sisters from the building traits to speak to the consideration that this Council is making when we invest our taxpayer dollars in projects such as this. I would consider them to be a representation of the values of this Council and the values that we hold for our citizens and our community. Questions have been raised in a sense about investing \$75 million in taxpayer funds for an entity that already receives over \$400 million to severally tax exemptions. While some of their lowest-paid employees are still eligible for food stamps. Some are making less than \$10 an hour. In the Dillon Rule state where we cannot mandate that companies or employers do anything that we tie our tax dollars to, it is still important to understand that we lead by example. We must lead by example as a government and those public entities must also lead by example. So, earlier in this process both the Southern Piedmont Central Labor Council and the Housing Justice Coalition asked for firmer answers and commitments from Atrium around the give-back that would happen with the community and we have seen a little bit of further explanation from the presentation this evening. However, we still haven't seen a lot of hard fax and a lot of hard numbers. A hard number or a written commitment is a very different agreement for the community than money to a scholarship fund or vague promises about the use of privileged, the use of programs that benefit underprivileged persons. So, I would just like to remind the Council that some of the things that have been asked for are an increase in affordable work site housing on this Innovation District Campus. If the workers are to work here cannot access affordable housing in the vicinity then they cannot access economic

mobility. We would appreciate a memorandum of understanding with the Mecklenburg County Parks and Recreation Department for the maintenance and upkeep of the public Plaza if it is truly to be a public space. Not one that is patrolled by private security and a donation from the Atrium Wake forest Baptist to the Cherry Community Organization for the preservation and rehabilitation of naturally occurring affordable housing in the area. One thing that this plan counts is the increase of tax revenue through property values which will, in turn, drive up tax revenue and property values in the surrounding area.

**Kayla Miller-Koehlmoos, 3524 Deason Ct** said I'm a member of the International Brotherhood of Electrical Workers and I am one of 150 union electrician apprentices living here in Charlotte. I'm here today to tell you about the benefits of a project labor agreement. Union members pay a very small amount in my case \$50 a month to unite under collective bargaining agreements in order to negotiate better workplace conditions, worker benefits and pay. A PLA is a temporary collective bargaining agreement where all employees working on a single project get to benefit from collective bargaining regardless of their union membership status. As an apprentice, these agreements ensure that I receive proper instruction from my individual trade and also broader safety training such as OSHA 10, CPR first aid, and national fire protection. Non-union electricians with similar experience as union ones make around 70% of what we make. Also, with no benefits. These Registered apprenticeship programs are a life-changing opportunity for our city's low-income and low-skill workers and have the ability to impact our city economically in a positive way. I used to work in foodservice and before I found this apprenticeship program I had no health insurance, financial security, or retirement options. This program gave me the opportunity to transcend poverty and lifted me into the middle class. Thank you.

**Dan Segovia, 2967 Interstate Street** said I'm a representative for the iron workers in Charlotte and most of the Carolinas as their Business Manager. I'm here today to speak on what we believe to be workforce development and upward mobility to be. [inaudible] as to work together in all industries. I'm not here to speak against any development within the city. In fact, our goals are to put as many Charlotte residents and our members to work on these projects as possible. Construction projects are what pays our bills for our benefits, Apprenticeship Programs, and [inaudible] upgrades. Part of my job is to recruit and train the workforce for our employers. This is very rewarding especially when I can offer men and women the opportunity to enter into an earn-while-you-learn Department Of Labor Registered Apprenticeship Program. As well as the opportunity to go from project to project and retain their benefits like health care and a pension, and to be able to retire at a reasonable age. Workforce development in my opinion needs to come with real opportunity. Not just in the training, but in combination with a career opportunity. Without a real career opportunity on any project or job, we will be forced to start over every time we complete a project. No matter how high the percentage of the local workforce is on any of [inaudible] projects, usually, that workforce will need to search out another opportunity just to try to keep moving in a career with no real benefits or an end.

The building trades and iron workers offer real opportunities and careers. We offer training and family-sustaining wages with our employers and contractors and development projects around Charlotte and the region. This in my mind is upward mobility. You may be wondering why we are here today and what we might want from you. We simply want to bring to light what opportunities we could achieve together, what we are looking for in partners, and to create more opportunities for our membership and the local workforce.

Finally, I want it to be known that the workforce development programs will work so much easier and would benefit for Charlotte workforce more if it was linked to a Department Of Labor Registered Apprenticeship Program and the [inaudible] Trades Association.

**Isael Mejia, 9541 Huntsham Road** said appreciate you all for [inaudible] time to come talk before you. I'm here as well supporting my union brothers and sisters in the same message. I believe we heard the term Department of Labor Registered Apprenticeships a few times tonight. I wanted to highlight the importance of what that means to our trades.

I'm a member and organizer with the Iron Worker's local 848 in the mid-Atlantic states. I represent hundreds of iron workers in the Carolinas and many in the Charlotte region. As

an organizer, I do travel broadly in the state and [inaudible] with unrepresented workers who work in dangerous conditions, drive long hours for their jobs, and often time could not afford to live in the cities in which they work. As we continue to ponder about what steps we need to take as a city in order to overcome the 50 out of 50 cities ranked in economic mobility opportunity. It's important that conversation around apprenticeship opportunities and construction careers is heard in rooms like this. I am a member of the City Workforce Development Board. I'm also a Recording Secretary for the Central Labor Council, on top of my duties as an organizer. So, am privileged to be a part of some of these conversations, and often time I have left scratching my head asking why are apprenticeship opportunities so unheard of when we are talking about workforce development when we are talking about moving people up and providing economic mobility. I often wonder why we don't talk about these kinds of programs that offer a living wage as some of my colleagues have already mentioned. As well as benefits towards your retirement. It's hard to run into anybody who can tell you when they are going to retire at the end of their career.

A consistent factor in a lot of the unrepresented work that occurs in this city and this county is a lack of verifiable training and safety and skills for the job being done. The requirement of registered apprenticeships like those afforded by the building trades like the iron workers, the IBW is that they must meet strict training, diversity, and educational requirements while often times entities in Charlotte look to shorter less regulated training programs that are labeled pre-apprenticeships. How can these brief job training programs really translate into family-sustaining careers if the training is [inaudible] and the success requirements can be modified for successful reporting?

Before my role, I came from a community group who did receive public funding. I know how easy it is, I won't say to fudge the numbers but represent small moves forward as successes for that funding. My colleagues have spoken about PLA in other parts of the countries with different developers and contractors and I think we can do the same here in Charlotte. Why can't we do more for folks in Charlotte and to pontificate on progress and actually pave the road for families seeking stability, wages, and training, and the benefit that will move Charlotte from out of that 50 out of 50 rankings?

**Dr. Sylvia Bittle-Patton, 1623 Luther Street** said I'm here on behalf of the Cherry Community Organization. I want to start b thanking Atrium Health and Wexford for continuing to offer various opportunities for community input. As stated before, we look forward to continued dialogue and community sessions. I also want to make clear that our being here in no way means that we are opposed to this project. We also believe that this project has the potential to be transformational to the city and county. We just want to be certain that the community narrative resonates throughout every phase of this project. To the City Council, we say the following: first, this will be an excellent opportunity for you as successors to those government leaders who committed such atrocities to begin to write some of the wrongs that were done to Brooklyn, [inaudible], Second Ward, and so many more of our sister communities. It doesn't matter how many decades or degrees of separation. It is always the right time to do the right things. Secondly, given the history of the land and the inevitable use of TIG and CIP funds, now is the time to utilized a Community Benefits Agreement in accordance with the recently adopted 2040 Comp Plan. Just a reminder that CBAs are not illegal as opined by the City Attorney and are definitely not shake down community plans. Third, if we are to begin cross walking the 2040 Comp Plan to UDO and the 2040 Policy Map, then please take a look at the checklist at the end of the respective pre-hearing staff analysis and see how many more boxes can be checked on that list within this project. Fourth, jobs are great, but as employers who really care about their employees will tell you jobs alone are not enough. Let's remember all that was lost within Brooklyn. The jobs, the homes, the businesses, the churches, the families, the communities, the generational wealth and income, and family legacies, and ask where do we need to start first? Fifth and finally, if you commit the spending over \$20 million for a garage system to house automobiles then you can certainly find a way to add more funding to house people who need affordable housing and want to live within the Innovation District. A commitment of 5% affordable housing is simply not enough. Again, we ask for your support in helping to make this project truly

transformational as it relates to equity and economic development, affordable housing, social capital, and social and restorative justice. Thank you again for your consideration.

**Kacey Grantham, 6163 Sharon Acres Road** said I'm the Executive Director of Road To Hire. I'm here today to comment in support of the Atrium Health Innovation District. I do want to say first that I'm glad I got to hear all of the previous speakers. It was great to hear about those apprenticeship experiences and from the last speaker as well. But [inaudible] comment tonight because the Innovation District project really aligns with [inaudible] the hire goals which is to ensure that people without four-year degrees have access to hiring families sustaining jobs. Charlotte really needs the types of jobs this project is going to bring. Particularly the STEAM job in the scientific and technology field. My understanding as Assistant City Manager Dodson said is that a third or more of the jobs in the Innovation District will create and not require a four-year degree. This is exactly what we need if we are really going to be serious about increasing our commitment to economic mobility and workforce development and do so in a way that is truly inclusive and goes beyond that traditional four-year degree.

In addition to just the jobs, this project is going to expose young students to careers in medicine and technology and create experiences that get them excited about those paths before they even get to high school and are making a critical decision that will affect their future opportunities.

[inaudible] this is an extension of the traffic that the Atrium already has, prioritizing education and hiring of people [inaudible] pipelines [inaudible] medical careers. Charlotte has the people who do these jobs and the tools to teach people the skills that they need. Having a certificate or associate degree does not always mean a smooth transitioning into a high-paying job. The thing that is different and unique about this project is that they are thinking about it on the front end. Hiring people without four-year degrees and making sure they are prepared with the skills to [inaudible] hiring jobs and make sure that's built into the plan and not an afterthought or [inaudible].

**Clarence Armbrister, 100 Beatties Ford Road** said I become before you at this juncture and these evenings proceedings as the President of Johnson C. Smith University and as you noted earlier, Charlottes only HBCU. I'm here to express my strong and unequivocal support of the Atrium Health Innovation District. Although as a former Bond Attorney who either practice public finance or was involved in the field for over 30 years, I am tempted to weigh in on the financing and the agreements that support this incredible investment by Atrium Health and its partners. That is not the purpose for which I rise and support this project this evening. I rise in support of this project because of my role as President of JCSU. We have been given the opportunity to partner with Atrium Health and the repose new medical school that will be the center piece of the Innovation District in ways that will accelerate the transformation of JCSU and the fulfillment of our recently adopted Strategic Plan and Title, the Golden Blue Print, constructing revolutionary change. Without going into a lot of detail I'd like to explain my [inaudible] interest in supporting this project in addition to all of the other benefits of the project of which you are aware.

First and foremost, one of the most important pillars of our strategic plan is to deliver signature academic programs. One of several areas the university is committed to is enhancing our premed health programs. With the establishment of a medical school literally a stone through from the JCSU campus and the commitments made by Atrium Health and the academic leadership to work closely with JCSU faculty students and staff, we are delighted to support this project. Although not yet finalized we have begun speaking with Atrium regarding our collaborative efforts to strengthen our curriculum and to develop pathways for our students to be guaranteed upon successful completion of certain requirements seats in the new medical school. This will generate significant interest in JCSU and allow us to compete to either keep in the region or recruit to the region high-performing students. In addition, it is likely those students will be supported in some way by the establishment of the Bishop Battle Scholarship Fund. Again, the detail of that support are yet to be worked out. There's almost nothing more important for a student than to be able to focus solely on academics and not finances specifically on how much debt they may be incurring to complete your education.



Finally, I'm excited about the opportunities beyond med school admission for our students and the community at large. Students who may not be interested in premed or health professions will have the opportunity to compete for any number of other jobs that result from the Innovation District. As many of you know prior to coming to Charlotte, I was in Philadelphia, where has been a successful development of an Innovation District that encompasses an area near my alma mater, the University of Pennsylvania, and West Philadelphia. I'm looking forward to my newly adopted city building on the strengths of that development and exceeding their results. Thank you for the opportunity.

**Mayor Lyles** said I'm going to ask Ms. Dodson if there are questions you will just be at the dais so that you don't have to get up and go back and forth.

**Councilmember Ajmera** said I have a couple of questions. These are the questions that I noted down while speakers providing their remarks. The first question is how far is this 14-acre site from the Innovation District? I know it's along the transit line. I'm just curious how far that is to access the Innovation area.

Ms. Dodson said as the [inaudible] plaza, I would say it is probably about two miles, two and a half miles. Something like that. I will have to check it from the road mapping.

Ms. Ajmera said no I just wanted an approximate. Okay, so it's about two miles. It's located in transit. So, it can easily be accessible to get to the Innovation District.

Ms. Dodson said It can be easily accessible to the Blue Line, the 36<sup>th</sup> Street Station, and then accessible to jobs in a lot of places including the Innovation Campus.

Ms. Ajmera said thank you. I know when we had this presentation a couple of weeks ago, I'd asked about the Apprenticeship Program and at that time Mr. Woods had said yes, there would be interested in that program and they would like us to connect them with the Apprenticeship Program. Is anyone here from Atrium?

Ms. Dodson said there is somebody here from Atrium, Collin Lane, but I can also speak to the fact that I know that Wexford the developer of the Innovation Campus has a meeting set up in December with I think Sebastian to talk about this program. The other thing that I will mention is you all know that we have the Hire Charlotte initiative going on which kind of looks at jobs in training throughout our entire community. Atrium is a part of that. We've looked at apprenticeships and things like that. So, that's another piece of work that's separate from this campus, but it is something that we are thinking about. How do we train for the right jobs and there actually be jobs at the end of the training?

Ms. Ajmera said thank you so much. You're always thinking ahead. So, appreciate that Tracy. It's progress that Atrium is directly speaking with some of this Apprenticeship Program. I know we have a lot of leaders here from that program and I appreciate some of the testimonies that they have provided and how it has been truly a transformative experience for many families. I hope that partnerships will continue as we continue to have these conversations. I know we had a representative here from the Cherry Community, Dr. Sylvia Bittle-Patton and she had sent us an email. I believe she spoke a couple of weeks ago at our public forum and they had made a specific ask which is about preservation and rehabilitation of the houses in the Cherry Community which is very close to the Innovation site. As we are looking at the Community Advisory Council, I hope we will have representation from the Cherry Community as they are neighbors and I see the Atrium folks are nodding their heads. I consider that as a yes. I hope that you connect with our Cherry representative Dr. Sylvia Bittle-Patton to ensure that the community voice is being represented. Also from the city's side, we have had that program which provides dollars for those to ensure that there is aging in place. I remember when I was a District 5 Councilmember, we had someone who was over the age of 65 and they had lived in their home for 30 plus years and they were able to apply for the funds. So, I just want to make sure that certainly aging is our city's responsibility and I don't want for us to sort of say here Atrium, go ahead and take of it, right. So, I just would like to see if we can connect a Cherry representative with our program and see if the City Council needs to take any action on that program and where is the funding for that? I know the fund is

always oversubscribed. There is more need than where it's currently allocated, but I would just like to get an update and see if we could get some Cherry Community folks to learn about our program. Certainly, as someone who has been the SEAP Champions Strategic Energy Action Plan, I've got a lot of calls and emails about public dollars going into paying for the parking structure which is \$28 million-plus. So, Ms. Dodson, my question to you, is you went through a presentation. You explained that there would be a public component to the parking structure where the public will be able to use that parking structure without a fee, especially on weekends and in the evenings. Would this project have been possible without our investment in the parking structure?

Ms. Dodson said no. Our investment and that's why I keep packaging everything together. Our investment in the infrastructure is really what sets up the campus to be successful. If they are growing and attracting the businesses here that they anticipate, the infrastructure has to be in place. You can't build it all fast enough to keep up. As Mr. Armbrister referred to like [inaudible] for example. That's the success they've seen because the pieces are in place to support the growth. So, those are all very important pieces including the parking deck. I think while I understand some Councilmember's concerns about parking decks, it's needed and it has actually been designed in a way that's trying to be thoughtful about one central location so that it also can serve other parts of the community. To not do it I think traumatically negatively impacts the project.

Ms. Ajmera said so is it fair to say that our public investment is not just going towards the parking, it's really the entire development, and it would not have been possible. This development would not have been possible without our development in that.

Ms. Dodson said that's correct.

Ms. Ajmera said I really struggle with the fact that we always say our investment is for the parking structure while really our investment is for the entire Innovation Corridor. I mean the entire Innovation project. I've said this in one of our committee meetings when we were discussing our Tax Increment Grant Policies that I have a problem with us allocating public dollars when it interferes or when it conflicts with our other goals such as SEAP or transportation and so on. I hope that we will revisit that policy and maybe figure out a way where our public dollars are not attached to the parking structure, but really just overall and I don't know how we do it. That's where we look to your expertise Ms. Dodson to figure out how do we do development and really help these transformative projects happen without us conflicting with the other goals that we have. Especially our Strategic Energy Action Plan or transportation goals and so on.

I have been in Charlotte for over 10 years now. Ever since I was recruited here to work in a financial services company, I've heard of talks about bringing a medical school here in our city. There have been a lot of talks and discussions, but this is the first real concrete plan that we have in front of us. That speaks a lot to the leadership at Atrium and other partners. There are a lot of public benefits to that. So, just because of my reservation on SEAP and some of our public dollars going towards a parking structure, keep in mind this project provides a lot of other benefits. We are talking about \$50 million in affordable housing, \$11,500 jobs, many of those jobs do not require a bachelor's degree, \$35 million of our public dollars will leverage about \$1.5 billion in private investment, MWSBE commitment of 20%. I mean that is not a small ask. That's not a small number. We've got a got incubation program. We've got upward mobility here. I mean everything we do we always talk about upward mobility. This provides direct opportunities for education training opportunities STEM programs, scholarship funds, and so on. So, all the benefits far outweigh our public investment going towards a parking structure. I know that's something we as a Council need to discuss from the overall policy perspective rather than on a project-by-project base and I think that's something we take it upon ourselves to figure that out. This is a once in a lifetime kind of opportunity that Charlotte is getting. This is going to be truly transformational for our city, but we got to ensure that community voices are at the table. Especially neighbors from our Cherry Community and our workers from Apprenticeship Programs, and everyone gets to be part of this important project. I hope that over the next couple of months Atrium will continue to have those conversations with our community so that we can bring everyone at the table. Ms. Dodson thank you so

much for your leadership on this and also Mr. Jones. I'm just really excited about this. Thank you.

**Councilmember Eiselt** said part of my comments I can now cut which I'm sure everybody is happy about because Ms. Ajmera touched on the fact that we need this. We have been known as a banking industry uptown, Fintech town, which is great. But we need young people in particular to have different options for careers in this city and to be known as a city that has a robust health care industry with the research component to it would be very exciting. My concern has been that we have done a great job of attracting those six-figure jobs, but when I look at the cities that have the biggest problem with homelessness, it's because they are also at the very top end of the average wage and so that's how we attract our affordable living crisis is by having a job at different income levels. So, I'm very happy about that. I will say that the community has brought up a lot of valid points and just want some more certainty about things. I appreciate Dr. Bittle-Patton coming down and getting through this twice, two weeks in a row with us.

So, I do have a couple of questions. With regards to the 14-acre site near 36<sup>th</sup> Street. I love that it's near a light rail stop, but I do have concerns about how it's going to be developed. I think our notes said that Atrium was the developer, but now I understand it's really INLIVIAN that is the developer. Is that correct?

Ms. Dodson said that is correct. INLIVIAN owns a 14-acre parcel adjacent to this. So, what they would look to do is do a full 28-acre redevelopment of the sites. Atrium currently has a distribution facility on that 14-acre that we are talking about going to affordable housing. That has to be relocated and then this site would be transferred to INLIVIAN.

Ms. Eiselt said so there is two things that I'd like to ask for. Can we get an assurance that that site will be developed within a certain time frame a couple of years that it will be developed with affordable housing so that it's not only a market-rate product but that it will have affordable housing on it within a certain amount of time because then I think we can say to the community that we are connecting people to jobs because they can afford to live close by and have transit options? Are we able to ask for that?

Ms. Dodson said so, I spoke to Atrium about that today. We can ensure that yes. The 14 acres will go to affordable housing, and we can put a time limit essentially on when that is to be done.

Ms. Eiselt said what will be realistic, is three years realistic to ask for that?

Ms. Dodson said I think three years is realistic once the property changes hands and actually is owned by INLIVIAN, that they would have three years to then begin construction. The actual term, I'll need to cross with Atrium. But I think that's doable.

Ms. Eiselt said would they have the right to be able to sell that instead?

Ms. Dodson said no, I think the way we would try to set that up is it would revert back to Atrium. Again, with the intent of being affordable housing, but if it's not performed by INLIVIAN in a certain amount of time. It should revert back to Atrium. Then they would look for another affordable housing developer.

Ms. Eiselt said well by reverting back to Atrium then we kind of miss out on the opportunity. Does it revert back to Atrium and the City for the opportunity to develop it?

Ms. Dodson said that I can look into it. I think the commitment on it is for affordable housing. The nuance of where it goes back to if INLIVIAN doesn't perform I'd have to look into. But the commitment that I got today from Atrium was that yes, we could put some parameters on the time limit in which it was developed and that the commitment was to keep it affordable.

Ms. Eiselt said okay. Thank you for that. I will address the parking too because Eric Zaverl from Sustain Charlotte brought this up in the 2040 Plan that we need as a community

needs a comprehensive parking plan. We are starting to see in our TOD (Transit Oriented Development) that this is a little bit outside of TOD, but we're starting to have some problems with density and not having any parking. I would love to say we are city and we've had this discussion and I know Mr. Winston and I go back and forth on this; I would love to say a city that says no more parking. Get on the light rail or get on a bus, but the fact of the matter is we don't have that kind of a transit system right now. So, we have got to have a transitional plan that absolutely works towards our goal of public transportation. But in the meantime, as Eric brought up we have to have a comprehensive plan that takes into account developments that back up to single-family housing. This backs up to single-family housing and residents in the Dilworth neighborhood are already worried about the 30-story tower coming off of the priced chicken coop land that they sold. A lot of other density coming just a couple of blocks up. So, in this case, I do support some investment of public sector dollars in public parking to give people a place to park and not have that be too [inaudible] on the neighborhoods around there who are going to be dealing with this.

Then the last point. I just want to get clarification because of the way it is worded that the action we are being asked to approve is to give the manager authority for up to \$60 million, but I want to be really clear that we have on the record that if the county does not approve their portion we're not on the hook and we haven't you authority to negotiate the other \$40 million. That we are only obligated for our one-third of that. I think you'd mentioned we'd go back to the drawing board, but that doesn't mean we go back to the drawing board.

Ms. Dodson said let me just clarify that when I said we would most likely be coming back because if it's not a \$60 million tax increment grant, nuances of the project probably change and so that would cause us to come back to you. But in the case of the \$60 million TIG, we can only reimburse the new property taxes which have been generated and come to us. So, if you looked at that even if nothing changed with the project and we just did our portion of the tax increment grant, we only get a third of the property tax and so we could only reimburse a third of that new property tax for 90% of the third of that new property tax. So, that's what really limits us because the term-limited is listed in there as well.

Ms. Eiselt said but do we know what that number is because could it exceed what we think we are approving tonight if we approve it?

Ms. Dodson said when we do our analysis of the TIG, it's a pretty in-depth analysis of when do we think the building will come online. What do we think that will generate? We work with the county's Tax Assessors Office. So, it's not just a kind of checking which way the winds blow. It's really a thoughtful analysis. Our portion of that is generally a third. So, we've been thoughtful to say okay, over a 15-year period, we think that we could support if it's city and county both, a \$60 million TIG. Obviously, if the county two-thirds is not part of that we could only pay back what we generated which is roughly \$20 million of that.

Ms. Eiselt said and just, in summary, I think I read that the current tax value of that land right now is about a quarter of a million.

Ms. Dodson said that is correct. The current land is either not on the tax rolls because it's owned by Atrium or underutilized property by the implementation of the Innovation Campus this property comes back onto the property tax rolls and then would generate. Now, what we think is a full build-out of up to \$8 million annually.

Ms. Eiselt said so in my mind I think it's a pretty good [inaudible] for \$1.5 billion investment, not just financially but also because of what it's going to bring and I look forward to having this happen but I do look forward to the commitment made to the community as well. Thank you.

**Councilmember Watlington** said fist I just wanted to say I'm really really happy to see so mean women in STEM represented here tonight. That's really cool. So, thank you for

the work that you doing in your field. I did have a question for the attorney in regard to some of the discussion around labor agreements. Can you refresh me? What exactly can we do in regard to assisting local workers legally? I know we cannot require particular hires, but can you help me understand exactly what the boundaries are for our authority as the city to assist in workers' unions.

**Patrick Baker, City Attorney** said so when it comes to directly working with these entities on a project. On a bid project for instance, I mean you could make as a condition of the bid that the entity had to use union labor. As part of that, we don't have the authority to do that. So, a lot of it depends on is it a City project that we're bidding on versus a public-private partnership where we are entering it voluntarily. We just don't have the authority to collectively bargain with unions. So, that would be our employees. We can't collectively bargain with them. And in bid projects, RFPs (Request For Proposal) and particularly those bid projects where you're looking for the lowest responsible bidder. We can't make that conditioned upon paying a living wage or a number of these other issues including using unionized labor.

Ms. Watlington said so what can we do exactly. Forgive me if I missed it.

Mr. Baker said what can you do? Certainly, when you have those voluntary efforts where you can identify folks to bring into Apprenticeship Programs that you have here. I think you have the Hire Charlotte Program as well on a number of the workforce development programs. That's typically where local governments in North Carolina put their time and energy in terms of identifying resources and opportunities for their constituents.

Ms. Watlington said okay, I'd like to [inaudible] is.

Mr. Baker said sure.

Ms. Watlington said the next question I have and it may be for the Atrium representative in particular. I absolutely think there is a lot of great things showing up in this project. I do want to understand because I think what I'm hearing from constituents is not so much that the ROI (Return on Investment) if you will is too low. Are these [inaudible] kind of things. Like, have we not, or if we do not choose to invest how much of this doesn't get done? If we are going to benefit anyway why would we invest these dollars? I haven't quite heard the answer to that question. So, I don't know if that is something more for Atrium to talk about because they know their numbers. But that piece I think gets at the heart of what folks are saying.

Ms. Dodson said I will invite Collin down here to answer that. While he's coming down here, Collin Lane with Atrium Let me remind you this is a partnership with Atrium as the primary tenant. They are putting their land in this particular location into the deal. Wake Forest is obviously another partner in that with the medical school component. Then Wexford is the developer. Not to put words in your mouth Collin, but when we first started this as I mentioned earlier tonight, they weren't always sold on this site. This is a complicated site. It's a large site and it's an expensive site.

**Collin Lane, Senior Vice President Ent, Facilities & Rehab at Atrium Health** said hardly an expensive site. Obviously, that is what requires \$94 million worth of infrastructure just for the first phase. We looked at our union site where the light rail is going to end up anyway. We would have benefited from all of the benefits of Charlotte without being in the county or the city. We obviously thought that there were many opportunities for both Atrium, Wake Forest University, and the broad Charlotte community by being here and being close to Uptown. We think there is significant benefits by being adjacent to the CMC (Charlotte Mecklenburg Center) campus as well as connecting our CMC to Uptown. So, we believe that creates all of the opportunity. The project would be barely a semblance of what it looks like today without the infrastructure money. We also did look at South Carolina as well. Obviously, your county is a close and adjacent county.

Ms. Watlington said so at this point given you already have some level of commitment to the existing site, should these dollars not be awarded, do you have a [inaudible] criteria? What is the likelihood that you all would then go to one of your other sites?

Mr. Lane said so we've got different scenarios where we could operate the school in a much smaller campus. It would just be the medical school just to ground everyone. In a 300,000 square foot academic space, only 120,000 feet is actually the medical school. We were also bringing our college [inaudible] sciences which is all of our allied health. This is where we train most of the jobs that don't require a four-year degree. That's lab techs, pharmacy techs, etcetera. We're going to make a significant investment in our research operation. You also would lose out on the opportunity for [inaudible] which Charlotte is right now, we are on the top contender to be affectively the North American Headquarters for simulation training and technology. So, we believe bud for analysis is that the benefits significantly out way the risk of a public-private partnership here. The project would not look as it does as we have presented.

Ms. Watlington said my next question is this is really more so for Tracy and the Attorney. In regard to where we are investment our dollars? I know that a couple of my colleagues have already alluded to this, but I want to make sure that I'm clear. Outside of the parking or the infrastructure dollars would it be possible to invest our dollars directly into some of the community benefit work or what are the boundaries there?

Ms. Dodson said so I think what I would say that is our investment is what's making those programs possible. While our investment is for the infrastructure to create the place where you start to put these programs in place and you build these programs out. So, without that, there's not the opportunity to build the programs. So, in a way we are. It's an indirect way, but in a way we really are because again if we didn't have the Innovation Campus, we don't have a place for the programs to be.

Ms. Watlington said okay, then one more time as fair as ongoing oversight. I know that we can only pull back a third of the expected tax revenue. Outside of that are there any other opportunities for us to go back and say okay are we still getting what was promised?

Ms. Dodson said so I would point back to the Community Advisory Council and having that Council in place with the community having a seat at the table with the institutional partners that we've mentioned having a seat at the table with some public input, I think that's how you ensure that all of these things start to get implemented in the way that we expect. So, that will live through the implementation of the Innovation Campus.

Ms. Watlington said do they have legal authority or is it purely advisory?

Ms. Dodson said right now the way it's designed is an Advisory Council.

Ms. Watlington said then my last question. This is more general. I know that we've talked a little bit about how we can make sure that we get what we say that we are going to get. I'm just wondering do we have Information as far as I actually versus forecasted for the last 10 years or so of major project initiatives? I'm just trying to get an understanding.

Ms. Dodson said I can pull that for you. We have had some projects that payout earlier and faster. We have some projects that don't fully pay out because some things don't get realized. I would say generally we're pretty close on our estimates. But I can pull the information.

Ms. Watlington said sure I don't need it for this in particular. I just think that would be great.

**Councilmember Graham** said I don't have any questions. I was able to have an in-depth conversation last week with the staff and I actually met with Hillary for about an hour and 20 minutes on the phone. We discussed a number of issues, Ms. Patton, that you brought up the last time you were here relating to the clinic, affordable housing, MWBE goals, and small business participation. We talked about the general contractors and sub-contractor,

issues related to Charlotte Mecklenburg Schools, Johnson C. Smith, Queens University, continuing education there, displacement issues, and workforce development. I left that meeting feeling really comfortable with their commitments on a number of fronts. Part of what we are doing here tonight is, we are investing in someone that we know. These are our neighbors, our friends. These are the folks that helped us raise \$250 million for the Mayor's Racial Equity Program, which was a huge success. We know these folks and because we know them there is a certain level of trust that I have in terms of their fulfilling the commitments that they are making. This Innovation District is a marathon, not a sprint. We will be doing this for a while. The end is in the beginning and so how we kick this thing off being very intentional about an issue relating to social impact and the impact in general for the community is really really important. Marth Ann [inaudible], who works for Atrium. Use to come to my Senate Office for over 10 years [inaudible]. She knew the question I was going to ask her which is when are we getting a medical school. I'm glad to say that that day is now and that it's going to really rebrand a portion of the city that is really going to take off. Not only with the med school and the Innovation District, but also the other companies that will be coming to Charlotte because of it. I mean it's going to be a great great opportunity for a wide variety of citizens.

The Community Advisory Board I think is really really important as well because it really encourages fair play and a constant and consistent dialogue with the neighbors in those in the surrounding community. Like I said this is going to be a marathon, not a sprint. They are going to be doing this for a while. I also believe that what gets measured gets done. Hillary assured me that there will be a number of measurements in terms of how we are doing with the score on a number of these things that we talked about earlier. It's really easy when you know folks so informally because their your friends and you worked with them before that you can pick up the phone and call them when there is an issue so they know I don't have a problem calling, inquiring, poking, and asking a question in reference to how we can make this a success not only for the system itself before the community and the City. When I came back I said I wanted to do a big thing. This is a big thing. This is going to have the type of community impact that will reshape and redefine the city as we know it 10 years from now when I'm walking my grandson and daughter around town, I can point to this particular project and say I was here at the very beginning. Hopefully, I can still be as proud as I am today noting that there is affordable housing and there's equal opportunity for employment and that MWSBE firms and construction firms are still working and building on the project that there's really a first-class clinic there that helps people who need to help themselves. So, I'm really excited about this.

Again, like I said I don't have any questions. I asked all of them prior to the meeting to both Atrium and the staff. So, I just look forward to what's happening next. Thank you.

**Councilmember Newton** said I don't have too much more to add. I would agree with one of the earlier speakers who mentioned that this is a transformational project. We're looking at well over 11,000 new jobs. Many of which will not require a four-year degree and it's a medical school that's coming to town. Certainly, it's a very difficult decision because there have been some very legitimate and valid points that have been made as well. We are looking at a situation where our goals are competing with one another here. We certainly want to make sure that we are upholding the SEAP. We want to make sure that we are meeting the goals that were set out in our 2040 Comp Plan. That included goals pertaining to Registered Apprenticeships Programs in our city by the way. I wanted to definitely point that out. At the same time, you know when we look at these competing goals and interests we want to make sure that we are getting that as the Mayor Pro Tem had mentioned. We are getting a good ROI. In so doing we are getting maximum value out of the dollars that we are investing on the public's side.

I do have one question. Having said all of that my one question before I ask I just want to say that you know I understand that this is an item that will still be in front of the County Commission for consideration. Meaning that our vote, whatever it may be tonight is not the final vote or say on this proposal moving forward. So, sensibly there is still time here for continued conversations and negotiations with community leaders. I just wanted to ask. I can't tell if there is an Atrium representative in the room. So, if it's something to be asserted to that person or if it's something that you can feel Tracy. But do we have a

sense of how the community groups that have been active participants in the conversation thus far and then certainly additional groups moving forward, do we have sense of how they will be included moving forward?

Ms. Dodson said so what we had laid out was this Community Advisory Council is the opportunity for some community groups to continue to have a seat at the table and how the district is implemented, the programs that are implemented in the district. So, that would be the mechanism of which the quote seat at the table would remain for the communities.

Mr. Newton said so I feel like if there is certainly still time, and I feel like we can still maximize all of our goals that we have asserted as a Council, particularly those goals that [inaudible] themselves to upward mobility. I can't emphasize enough how important Register Apprenticeship Programs are in our city. Frankly, nationwide and what they mean to the individuals that are involved in them. I have certainly heard a bunch of that tonight or testament to that tonight with our speakers. I do feel like we need to be much more deliberate when we are talking about parking. I was happy to hear that we're looking at parking maximums in our Center City Plan moving forward. So, from the standpoint of once again the ROI, it's very difficult I think for me to not be drawn to the proposal that's in front of us tonight. But we do need to be mindful about that impact and then also be mindful of what we are trying to accomplish when we talk about encouraging folks towards public transportation and how parking undermines that. So, moving forward certainly I think that we are going to continue to have those conversations. But thank you again, my hope is that that conversation and negotiations about this particular proposal continue with community groups because I feel like there is still time.

**Councilmember Driggs** said first of all as a former hospital analyst on Wallstreet, I want to emphasize how fortunate we are to have a system like Atrium be based here in Charlotte of national stature. Not many systems have the capacity or the vision to propose something like this. So, we greatly appreciate that. I think I speak for all of us.

My question is just our process. Ms. Dodson, how do we arrive at \$75 million? Like why is that the right number? You know from our past conversations I go through this where I say what was the process. What is the rationale for 75, not 60 not 90? What's the significance of that number?

Ms. Dodson said so we really arrived at that number based on one, what we thought we could support with the TIG, what we thought a TIG would generate. In our kind of standard TIG term limits and then also looking the project for potentially adding in some CIP and looking at the absolutely needed infrastructure for phase one. Things like the parking things like the utility, the roads. That plus what the TIG could support with a little bit of CIP in that. That's how we go there.

Mr. Driggs said I'm confident that the value is there. So, I'm not going to debate that, but I would like to in the future maybe see a little more detail on how we come down to why it has to be that number. The other thing is the parking. I'm prepared to accept that the parking deck should be viewed as part of the sort of multidimensional. We went through this on 7<sup>th</sup> Street and Tryon, but it's still unfortunate given what we are saying about parking in other places. So, the question is maybe in the future again can we avoid finding ourselves in a position where we seem to be paying for parking. We could do BIG (Business investment grant) and they could pay for the parking. I mean there are probably other ways that we can make this investment and not have the association of our money with the parking deck because if it was a stand-alone project we would not finance a parking deck. We're only talking about financing a parking deck in the context of all of the value that is being created here. So, just in terms of how we design these deals if we could get away from that and I think that's actually it for now. My main point is I will support this. Again, Atrium thank you for everything you do. I want to acknowledge Novant too. We have two big systems here and we are very fortunate. But on this occasion what your doing is very special. Thank you.



**Councilmember Phipps** said has any consideration been given to any ground floor activation on the proposed parking deck?

Ms. Dodson said at this time no. Not on the ground floor. What they have done is try to design the parking deck so future development can happen around it to kind of encompass the parking deck. So, at the street level if you will on the site plan the parking deck is pushed off of McDowell Street so that you actually can have other development between the street and McDowell to give you that ground-level activation.

Mr. Phipps said so to us a Sustain Charlotte term, this will just be cars behind bars type deck? So, it's been said that this parking deck is critical to the success of the project. Is that correct?

Ms. Dodson said correct.

Mr. Phipps said so if we didn't do it, would they do it or would they look for another site?

Ms. Dodson said I think it goes back to the question we've gone around on which is not supporting this package and its infrastructure leads to one of two things. A dramatically reduced medical school and doesn't have the whole Innovation Campus benefit to it or a different location altogether.

Mr. Phipps said I know it's been some talk about whether or not the affordable housing investment in the district is currently at 5%. Is there any appetite for increasing that or is that off of the table given what's proposed at 36<sup>th</sup> Street on the 14-acre site?

Ms. Dodson said as I mentioned in the presentation to develop the affordable housing site, especially at 50% below AMI is two to three times the cost differential than it is to do the site on the 14-acre site. That's just the cost of construction and we've seen this on other projects as well. It's affordable housing in urban areas is extremely difficult. So, as I mentioned earlier that 5% of 50% AMI and below is costing about \$10 million. So, you could potentially try to put more on-site but the cost of it. That was where we said well if we could do some on-site and also do the 14-acres where you can get more rooftops than the first phase that has a residential period that was a bigger community benefit. So, that is how we got to that.

Mr. Phipps said so then I take that to mean that there's no appetite for increasing that 5%.

Ms. Dodson said I would suggest that if you did it's at the elimination of something else that's on the table. Just because the cost is so expensive.

Mr. Phipps said if that was to occur, would you think that would threaten the 14-acre site?

Ms. Dodson said yeah.

**Councilmember Johnson** said I just have a couple for clarification, please. It looks like in our November presentation that the amount that was proposed was \$20 million from the City of Charlotte and \$40 from Mecklenburg County.

Ms. Dodson said that is correct. That's essentially how the TIG would break down. Of the \$60 million a third is paid out of newly generated taxes that come to the City and essentially two-thirds is generated out of nearly generated taxes that go to the County.

Ms. Johnson said so how much are we authorizing the City Manager to negotiate? Was there a chance that your requesting \$60 million from the City in case the County does not release it?

Ms. Dodson said no, that's not the case at all. What we are proposing is a city and county-supported tax increment grant that is up to \$60 million. So, it's jointly supported and when we do these because we have to go in front of both boards it gets a little bit confusing, I recognize. But it's one agreement that we end up doing with the city-county interlocal agreement.

Ms. Johnson said so what I don't want is for Council to react after the vote and then to say that we didn't get the details that we needed. So, I think now is the time to get those details and ask those questions. I understand it's combined TIG or assistance but we can only authorize from a city perspective. So, I think we need to be clear on what we're granting the City Manager to proceed. On the amount that we're granting the City Manager to proceed with.

Ms. Dodson said I think that's fine to clarify that. The one thing I would say is we also just in the way that the RCA wrote again I recognize that it's a little bit confusing. In the way that the tax increment grant works, we can only reimburse what we got. So, that is really what ensures that we're not paying more than a third of the \$60 million because that's all that would ever come to us.

Ms. Johnson said I just know that I've gotten a comment from the public that it was presented that the City was approving \$20 million. Now it seems as if it's \$60 million from the City. So, the taxpayers want to make sure that we are being good stewards and asking the right questions. So, I'd like to know what the number is and I don't know if you could give me a number.

Ms. Dodson said it's essentially \$20 million. It is essentially \$20 million. It's a third of what we are proposing the total amount of the tax increment grant.

Ms. Eiselt said that is the question that I had asked.

Ms. Johnson said right, and you said you weren't sure what we were approving. Secondly, when you talk about oversight, can the hospital appoint Councilmembers to the Board?

Ms. Dodson said to Atrium's Board?

Ms. Johnson said yes, I know we're on the Board for other organizations that we've supported.

Ms. Dodson said that part I do not know. What has been focused on because Atrium is just a tenant in this is around the governance of the Innovation Campus itself and what is occurring on the Innovation Campus.

Ms. Johnson said okay, so that will be something to think about when you ask about oversight. That might be something that could be considered.

Mayor Lyles said I want to make sure that we answer the question because I think what Ms. Dodson was saying is that the developer is not Atrium. They are tenants there. So, the oversight for the development of the Innovation District is really just like if you were building Ballantyne. You know it's not like one place that could make that happen. It's a development. I just want to make sure we are clear. I don't want you to think that we are just saying appoint something to Atrium and Atrium's Board could make it happen. Atrium is going to be a tenant to a development. So, they are just leasing the space and [inaudible].

Ms. Johnson said so the TIG is going to Atrium or to the developer?

Ms. Dodson said the TIG is going to the Innovation Campus, which is a partnership. The legal structure would be more to Wexford than to Atrium, but it's all a partnership between Atrium, Wake Forest, and Wexford. Just to the Mayor's point if you want oversight on to the Innovation Campus you want it as a part of the Innovation Campus, not as a part of Atrium's Board.

Ms. Johnson said okay. Then lastly, my question is about the parking. We've heard three Councilmembers talk about the parking today. This comes up every time. Who designs the TIG policy? Is that Council policy?

**Councilmember Ajmera** said yes, it's a Council policy.

Ms. Johnson said so that's a Council policy and for two years we've been hearing complaints about the Council policy. I just want to be clear, and I think you've said this before, the buck stops with us right. So, we can't hold developers to a higher standard than what we are willing to hold ourselves. So, if we are concerned and our public is concerned about parking then we don't have to keep saying I wish that that wasn't there. So, that's something for us to consider. What is our political will and what are we willing to. But to keep saying this, I know this was said with the University Library. It was said tonight. We've heard it before that it's up to us if we want to change that policy unless you tell me, Tracy, that there's or state or legal requirement. I know public benefit is a part of the requirement but is parking specifically legally required per statute included in the TIG policy?

Ms. Dodson said so the reason we have used TIGs in supporting parking is because the way that we have to tie the TIG is to things that have a public use. So, parking is one of those things. Parking, roads, infrastructure are those things that have public use, parks. So, that's why it gets tied in there. But I oftentimes try to bring it back up to what is it actually paying for is. It's the project as a whole that we are benefiting in or that we are investing in I should say.

Mayor Lyles said Ms. Johnson could I just add this policy was reviewed by the Budget and Effectiveness Committee under Councilmember Driggs. But I think your point is, is that we need to review it often and more frequently because things are changing more rapidly. So, we can certainly do that. I think the rules you know like now that they have applied, it's like Centene. We help build that 6,000 [inaudible] parking deck with Centene. But at the same time, we had the requirement to the university for all of the trails that you talk about and some of the sidewalks and things. I think the rules are consistent. Mr. Driggs, you just got an assignment to redo the TIG policy again, So, Ms. Johnson was really about the idea of what are the trends that are changing. I think that that is a good idea because things are rapidly changing. So, I think the question is the Council policy could be reviewed.

Ms. Ajmera said are we getting the referral now/

Mayor Lyles said the formula?

Mayor Lyles said no, I will have to write one first. I was just agreeing with Ms. Johnson. I think it is a good idea to constantly review as we do these things. I also believe that when you apply under one policy, I think the policy are valid and something they ought to do.

**Councilmember Winston** said two questions that I have actually about that. Does the Council have the ability to remove parking decks from our economic incentive policy, our TIG policy? Can we remove that?

Ms. Dodson said we can potentially take that out of policies. If we look back at recent projects it could hurt our investment in the project when again, we want to support the project but we don't have anything to actually tie it to form a legal kind of public piece. But we can review the policy again and make changes.

Mr. Winston said could we include things like apprenticeship programs as being a workforce development community public benefit of our incentive policies?

Ms. Dodson said if you looked at the TIG policy I think you can bring a lot of different things into or out of it that you want to. As I mentioned earlier what we are really trying to do with apprenticeship and things like that is not think about it from project to project but think about it in the scope of higher in Hire Charlotte where we are looking at jobs across the entire ecosystem. So, we are not creating these opportunities that are just reactionary because we invest in a project that those kinds of things are there that we are creating something around our ecosystem around jobs that it's there all the time. Not just if we have a tax increment grant.

Mr. Winston said a couple of questions I think from the community that I think can and should be answered. It's been asked why should Innovation District get any type of public dollars supporting this? I think from a matter-of-fact perspective there are plenty of businesses that invest in our community that doesn't look for public investment. But we don't have the ability in those projects to ensure that there is any type of community benefit. So, from a City perspective when we look at why we would invest public dollars in this it really is the ability to have some type of say and some type of public benefit. Some types of goals that we already have made it easy to achieve. Atrium probably builds a medical school whether it be here or anywhere without public support. But that wouldn't necessarily mean it would benefit the overall public good. Stated earlier many different times I think the City Council has a problem with our Economic Incentive Policies. We spoke on another issue earlier. We don't have an equity policy. So, that equity policy doesn't guide our Economic Incentive Policies. Therefore, it's really difficult to hold a partner accountable when again as Councilmember Johnson said we are not holding our own selves accountable. There is nothing in our incentive policies that work towards that equity lens. While I think we are trying to get there with parts of the project and trying to kind of a stretch, I think when we look at it we have things that do have some community benefit but don't really meet the kind of precipice of work improving the equity situation on our city either current or looking back to some of the decisions that we've made in displace people out of Brooklyn neighborhood or where we are at. That's something that I struggle with. But I will tell you something that has really kind of brought me around is the creation of this Community Advisory Council, but it's not just a Community Advisory Council that is created in general. Well, the idea is this is what we have been looking for. This is something I said last week during the rezoning, right. What we want is developers to work with the community, not necessarily work with us to say what is good for the community. That is difficult because you have to define who is the community? Any one group with the loudest voice can say that they are the community. That's not always true. So, this advisory council allows it as the current status of the development, as the current status of the situation that we are dealing with in Charlotte or in the neighborhood surrounded as those changes that Council can change. Even that wasn't enough. It was really the community that when we made a call out to say, hey this is going to be disruptive. They said you know we hear that. What do we do? And they approach Atrium just as I've approached Atrium, just as we all been approaching Atrium. Not necessarily getting to where we want to be but feeling that good faith effort is there. I went to the virtual community meeting with the Cherry community after I heard the Cherry community continue to come to us and speak to say that hey, there is something good here. There is something different here. So, I'm going to go with the people of the community. The ones that have already had so much taken away, carry the legacy of this equity work that I think we owe to them. So, therefore because of that I will be supporting this and I will push us to continue to do the work that we are all complaining about, but that we have the ability to change if we should want to. So, thank you.

**Councilmember Bokhari** said I'll join Mr. Driggs in saying we're lucky to have Atrium, Novant, Star Med Health, and several others as well in this community. In seriousness one, we look at a lot of deals in this city where we have to enter into the transactions and this is by far one of the greatest ROI that I have ever seen. I mean it's quite easy. I think it was said in a meeting a week or two ago if an external company was looking to come to move here and had a fraction of this business case, we'd be throwing multiples of investments at this right now. So, this ROI is a no-brainer. I think it's also, Mr. Graham not here, but I'll be his spirit animal right now, this is a great case for city-county consolidation. Our staff is armed up with economic development porous and all of these things and we still have to figure out how to have these discussions between two bodies. One of which primarily is in our scope of influence so, that's for you, Mr. Graham.

For me, I'll just add in parking decks are something we need to wrap our minds around here. There is a deep disconnect between this utopian future we talk about in this dais a lot versus what the average citizens of Charlotte complain about and annoys them every day. It's not going to be like us walking around powered by hugs that is going to get folks to where they need to be in anywhere in the near midterm. It's going to be strategically positioned parking decks around walkability and other things like that. So, I don't know why we keep going back to parking decks are the devil. I mean where do you think all of

these autonomist vehicles are going to be charged? It's going to be in parking decks. So, I think we need to wrap our minds around that.

To the group of ironworkers, electricians, and the other trade workers I actually really appreciated some of the things you guys laid out here. I'm not a big fan of unions in 2021, but I do believe that what you guys talked about around the workforce development and workforce training things you're doing around the apprenticeships, is exactly what we need more of. I come to you very authentically to say as someone whose dedicated a large portion of my life to building and growing those programs, I know how hard it is to put them together. I know how hard it is to make them effective. I think the big part to me that jumps out and where the disconnect is, is once you do that none of those things are entitled to the jobs. You have to show the value prop by which it justifies them being granted. So, I think this is difficult especially then when we think about is it the taxpayer dollars that is warranting this? I mean one, we heard multiple times Atriums the tenant. They are not the developer in this case, but two this is a tax increment grant, a TIG, right. This is not like me and Larken and Victoria's money that we put in the other day. This comes from what they create as creators in the community. And they are creating a great deal. I think we have to recognize that.

Then I think we need to also just at a macro level be careful that we don't send the message whether it how we describe TIGs or how we approach this conversation over the last several months because it has been frustrating at times to make our business community and the others that we need to do business with think we are not open for business. We need to spend less time shacking down those buildings and creating in our community and more time on building solutions that help upward mobility with outcomes they want to partner with, right. Community benefits are very simple in this one. The jobs. Followed by the medical innovation we will be surrounded by. If you think these are vague commitments, there's some very hard and fast commitments that will be brought from the partner that we can trust and one that I love the name of, Bishop Battle. Someone I got to work closely with years and years ago. It could not have been named after a better person. That scholarship fund will do great work, but let's not forget. They are not promising some vague things later. Right before the pandemic, they were averaging \$5 million a day in free health care and benefits to the greater Charlotte region. Five million dollars a day. We get that because we are sitting here, right. Not because we are entering with 70 plus million dollars in incentive here. That's what they already do in this community. The track record is undeniable. I think it's just really important that we sit down and understand just how lucky we are paired with the ROI of this deal is a no-brainer.

So, personally, I can't wait for this to come to fruition. I think we've delayed even longer than we needed to, to get to this point. I hope the county follows behind us very quickly and we don't delay through what we all agree is 99.9% of an amazing proposition where then we are trying to take .1% and tweak it around the edges and milk extra things out of it when in reality we may be delaying a great deal and medical students and all of the things that are in a critical path of a billion-plus dollar project that needs to come to fruition. When it comes to fruition I just imagine a world where 20 years ago when I first moved here Johnson and Wales wasn't here. It was a terrible place to eat. I keep saying this but I need to reiterate it and now after all of that it wasn't the jobs and the buildings that were created as the direct factor only. The indirect factor was we have truly culinary experience here in this community. Imagine that but for medical health, health tech, regenerative medicine. These are real-deal things by which this is immeasurable from an ROI perspective and I can't wait to be part of that.

**Councilmember Egleston** said I can appreciate the connection between Johnson and Whales because I'm going to need all of the health innovation this medical campus is going to create because of all of the great food options that Johnson and whales is going to create. I do think that there is merit to the conversation around constantly reconsidering and improving our policies around things like this. I hope we will stop trying to tweak our policies at the dais in the middle of a conversation around a specific deal because that is not how we can effectively get that done. That's the wrong time to do it and it leads to us being on the second item of an agenda at 10:30.

I am very appreciative to hear that folks from Atrium are going to be meeting with my friend Sebastian and some of the folks from the trade workers group. I appreciate the time yall gave to me the other week to help me better understand your apprenticeship programs. Like Mr. Bokhari said I think those are incredible programs that are creating life-sustaining wages for people. I appreciate that. I think that the project that we are going to vote on here momentarily is going to create great jobs with low barriers in terms of education requirements for people that will provide life-sustaining wages.

I think too before half of this Council was even alive the leaders of this community were saying we needed a medical school. This is delivering that. So, to me, this should be a day of celebration and I appreciate all of the work that's gone into making this an even better plan for our community than it started out. But it started out a pretty damn good plan. I'll say in the four years, which isn't that long, but the four years I've been on Council I don't recall anybody else donating a \$20 million market value parcel at a transit stop for us to be able to realize some of the affordable housing needs we have in this community. So, I think that's something that hopefully rises to the top of this conversation too when it's been recapped later on. That said I will be supporting it.

Mayor Lyles said I was just saying that I think if there is another word to be said I'm not quite sure what it would be tonight. We've had a great conversation. The presentation was around the specifics of what problems are we trying to solve and how are we going to do it in a way and I appreciate that. Also want to say that when we think about this city's recruitment and retention, community engagement, community benefit, all that fit together. So, really glad.

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, and carried unanimously to (A) Authorize the City Manager to negotiate and execute an infrastructure reimbursement agreement with the Charlotte Innovation District Management Company for the reimbursement of costs for public infrastructure in an amount not to exceed \$60 million for public infrastructure and public parking which will be reimbursed through 90 percent of incremental City and County property taxes from a designated area over 15 years, or until fully reimbursed, whichever occurs first, and (B) Authorize the City Manager to negotiate and execute an infrastructure reimbursement agreement with the Charlotte Innovation District Management Company for the reimbursement of costs for public infrastructure improvements, which is expected to be reimbursed in multiple bond referendums or payments from other municipal sources of funding.

Motion was made by Councilmember Egleston, seconded by Councilmember Phipps to Continue.

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

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

NAYS: Councilmembers Graham, Johnson Watlington, and Winston.

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**ITEM NO. 13: GARRISON ROAD SOUTH INFRASTRUCTURE REIMBURSEMENT AGREEMENT**

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, and carried unanimously to (A) Authorize the City Manager to negotiate and execute an infrastructure reimbursement agreement with McCraney Property Company in an amount not to exceed \$8,500,000 for municipal infrastructure improvements, and (B) Adopt Budget Ordinance No. 190-X transferring \$1,509,716 of capital project savings for the Garrison Road South project in the General Capital Projects Fund.

The ordinance is recorded in full in Ordinance Book 64, at Page(s) 477.

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**ITEM NO. 14: ADOPT A REVISED RESOLUTION TRANSFERRING CITY-OWNED PROPERTY**

Motion was made by Councilmember Graham, seconded by Councilmember Phipps, and carried unanimously to Adopt a revised resolution amending the unit mix of affordable housing units to be developed by Laurel Street Residential, LLC in collaboration with Little Rock Community Development Corporation on vacant City-owned property consisting of 0.826 acres located at 705 East 7th Street (parcel identification number 080-104-02).

The resolution is recorded in full in Resolution Book 52, at Pages 298-299.

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**ITEM NO. 15: HOME AFFORDABLE HOUSING DEVELOPMENTS**

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, and carried unanimously to (A) Authorize the City Manager to negotiate and execute contracts with the following organizations for affordable housing developments funded by the federal HOME Investment Partnerships Program: Cross Roads Corporation for Affordable Housing and Community Development (\$500,000), Lakewood Apartments/Urban Trends Real Estate, Inc. (\$2,250,000), Habitat for Humanity for the Greater Charlotte Region (\$1,400,000), and (B) Authorize the City Manager to amend the contracts consistent with the purposes for which the contracts were approved.

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**ITEM NO. 16: CATS MEMORANDUM OF UNDERSTANDING FOR ALLOCATION OF FEDERAL TRANSPORTATION FUNDS**

Motion was made by Councilmember Driggs, seconded by Councilmember Johnson, and carried unanimously to (A) Adopt a resolution authorizing the City to enter into a Memorandum of Understanding with other local jurisdictions to govern the allocation of certain transportation grant funds from the Federal Transit Administration, and (B) Authorize the City Manager to negotiate and approve revisions to the draft Memorandum of Understanding and to execute the final Memorandum of Understanding.

The resolution is recorded in full in Resolution Book 52, at Pages 300-316.

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**ITEM NO.17: EXCHANGE OF LAND RIGHTS ALONG THE LYNX LIGHT RAIL CORRIDOR WITH EAST WEST STATION RETAIL LP**

Motion was made by Councilmember Driggs, seconded by Councilmember Egleston, and carried unanimously to (A) Adopt a resolution authorizing an exchange of land rights between the City of Charlotte and East West Station Retail LP or its successors and assigns ("Property Owner") involving parcel identification number 121-015-04, (B) Authorize the City Manager to execute all necessary documents to complete the exchange of land rights between the City of Charlotte and Property Owner, and (C) Adopt budget ordinance No. 191-X appropriating \$287,934 from East West Station Retail LP for full and fair consideration of CATS-owned property in the CATS Capital Investment Plan Fund.

The resolution is recorded in full in Resolution Book 52, at Pages 317-318.

The ordinance is recorded in full in Ordinance Book 64, at Page(s) 478.

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**ITEM NO. 18: SALE OF CITY-OWNED PROPERTY ON WALKERS FERRY ROAD**

Motion was made by Councilmember Watlington, seconded by Councilmember Driggs, and carried unanimously to (A) Adopt a resolution approving the sale of approximately 8.620 acres of City-owned property on Walkers Ferry Road (parcel identification numbers 113-361-21, 113-361-22, 113-361-23, 113-361-20, 113-361-69, 113-361-24, 113-361-70, 113-361-13, 113-361-14, 113-361-15, 113-361-16, and 113-361-17) to 8301 Old Dowd Road, LLC for \$546,000, and (B) Authorize the City Manager to negotiate and execute all documents necessary to complete the sale of the property.

The resolution is recorded in full in Resolution Book 52, at Pages 319.

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**ITEM NO. 19: NATURALLY OCCURRING AFFORDABLE HOUSING RENTAL SUBSIDY REQUEST AT MAPLE WAY APARTMENTS**

Motion was made by Councilmember Egleston, seconded by Councilmember Ajmera, and carried unanimously to Approve a Naturally Occurring Affordable Housing Rental Subsidy Program reimbursement request to allocate funds over a 20-year period for nine new long-term rental subsidies at Maple Way Apartments for households earning 30 percent and below the area median income, and (B) Authorize the City Manager to negotiate, execute, amend, and renew contracts as needed and consistent with the purpose for which the program was approved, with McAlway NOAH, LLC (Maple Way Apartments), and Socialserve.

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**ITEM NO. 20: NATURALLY OCCURRING AFFORDABLE HOUSING RENTAL SUBSIDY REQUEST AT THE PINES ON WENDOVER APARTMENTS**

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, and carried unanimously to (A) Approve a Naturally Occurring Affordable Housing Rental Subsidy Program reimbursement request to allocate funds over a 20-year period for six new long-term rental subsidies at the Pines on Wendover Apartments for households earning 30 percent and below the area median income, and (B) Authorize the City Manager to negotiate, execute, amend, and renew contracts as needed and consistent with the purpose for which the program was approved with Wendover NOAH, LLC (Pines on Wendover Apartments), and Socialserve.

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**ITEM NO. 21: NATURALLY OCCURRING AFFORDABLE HOUSING RENTAL SUBSIDY REQUEST AT SHAMROCK GARDENS APARTMENTS**

Motion was made by Councilmember Graham, seconded by Councilmember Egleston, and carried unanimously to (A) Approve a Naturally Occurring Affordable Housing (NOAH) Rental Subsidy Program reimbursement request to allocate funds over a 20-year period for 40 new long-term rental subsidies at Shamrock Gardens Apartments for households earning 30 percent and below the area median income, and (B) Authorize the City Manager to negotiate, execute, amend, and renew contracts as needed and consistent with the purpose for which the program was approved, with Shamrock NOAH. LLC (Shamrock Gardens Apartments). and Socialserve.

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**NOMINATIONS TO BOARDS AND COMMISSIONS**

**Mayor Lyles** explained the rules and procedures of the nomination process.

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

The following nominees were considered 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.

- Cynthia Frank, nominated by Councilmember Bokhari.
- Tracy Glubenkian, nominated by Councilmember Bokhari.
- Tarik Kiley, nominated by Councilmember Bokhari.
- Christa Newkirk, nominated by Councilmember Bokhari.
- Kelly Thompson, nominated by Councilmember Bokhari.
- Kyle Luebke, nominated by Councilmember Bokhari.

Kyle Luebke was appointed by Councilmember Bokhari.

**Councilmember Bokhari** said congratulations to Kyle and good luck Arts and Science Council.

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**APPOINTMENTS TO BOARDS AND COMMISSIONS**

**Mayor Lyles** explained the rules and procedures of the appointment process.

**ITEM NO. 23 APPOINTMENTS TO THE BICYCLE ADVISORY COMMITTEE**

The following nominees were considered for one appointment for a three-year term beginning January 1, 2022 and ending December 31, 2024.

- Paula Broadwell, nominated by Council members Driggs, Eiselt, and Winston.
- Lindsay McCleary, nominated by Council members Bokhari and Egleston.

Results from the ballots were recorded as follows:

- Paula Broadwell, 8 votes – Councilmembers Bokhari, Driggs, Eiselt, Graham, Johnson, Phipps, Watlington, and Winston.
- Lindsay McCleary, 3 votes – Councilmembers Ajmera, Egleston, and Newton.

Paula Broadwell was appointed.

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**ITEM NO. 24: APPOINTMENTS TO THE COMMUNITY RELATIONS COMMITTEE**

The following nominees were considered for one appointment for a partial term beginning upon appointment and ending September 30, 2023.

- Toya Bailey, nominated by Council members Bokhari, Egleston, and Phipps.

Results from the ballots were recorded as follows:

- Toya Bailey, 10 votes – Councilmembers Ajmera, Bokhari, Driggs, Egleston, Eiselt, Graham, Johnson, Newton, Phipps, and Winston.

Toya Bailey was appointed.

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**ITEM NO. 25: APPOINTMENTS TO THE ZONING BOARD OF ADJUSTMENT**

The following nominees were considered for a partial term beginning upon appointment and ending January 31, 2024.

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

Results from the ballots were recorded as follows:

- Padma Bulusu, 3 votes – Councilmembers Eiselt, Newton, and Phipps.
- Tarik Hameed, 6 votes – Councilmembers Ajmera, Bokhari, Driggs, Egleston, Graham, and Winston.

Tarik Hammed was appointed.

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**HEARINGS**

**ITEM NO. 45: HEARING ON PETITION NO. 021-114 BY APPALOOSA REAL ESTATE PARTNERS FOR A CHANGE IN ZONING FOR APPROXIMATELY 3.55 ACRES LOCATED ON THE SOUTHWEST SIDE OF RIDGE ROAD AND NORTHEAST SIDE OF INTERSTATE 485, WEST OF MALLARD CREEK ROAD FROM R-3 (SINGLE-FAMILY RESIDENTIAL) TO B-D (CD) (BUSINESS DISTRIBUTION, CONDITIONAL).**

**Mayor Lyles** declared the hearing open.

**David Pettine, Planning** said it's about three and a half acres on Ridge Road. It is currently zoned R-3. The proposed zoning is for B-D conditional. The conditional proposal is to allow up to 125,000 square foot indoor climate control storage facility. It prohibits outdoor storage and truck rentals. So, no outdoor storage with those items. It does provide a 10-foot-wide multi-use path and 8-foot-wide planning strip along the curb and gutter along Ridge Road. Also, a 43-foot class B buffer to those adjacent residential zoned properties. Also, prohibits loading areas located facing Ridge Road and provides some architectural details in terms of the building type and design. A dumpster and recycling areas, a window feature [inaudible] pedestrian entrances, and façade details for the frontage that will face Ridge Road.

So, as mentioned the staff does recommend approval of this petition. I have some outstanding issues with the transportation they continue to work through. It's inconsistent with that Prosperity Hucks recommendation for residential. But being that it's right there

along the interstate and ramp interchange there felt like that was a good transition from those residential uses over right there along Ridge Road. So, with that, we will take questions following the petitioner's presentation.

**Bridget Grant, North Tryon Street** said given the time I am not going to give a presentation. We have made some minor modifications to the site plan to make something a little more efficient in terms of the building footprint. But with that, we are happy to answer any questions.

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

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**ITEM NO. 46: HEARING ON PETITION NO. 2021-117 BY JEFFREY WEISKOPF FOR A CHANGE IN ZONING FOR APPROXIMATELY 21.4 ACRES LOCATED WEST OF THE INTERSECTION OF MOSS ROAD AND YORKRIDGE DRIVE FROM R-9MF (CD) & R-15MF (CD) (MULTI-FAMILY RESIDENTIAL, CONDITIONAL) TO R-17MF (MULTI-FAMILY RESIDENTIAL).**

**Mayor Lyles** declared the hearing open.

**David Pettine, Planning** said just over 21 acres. It's [inaudible] Steele Creek [inaudible] section of Moss Road and Yorkridge Drive. The current zoning as mentioned is R-9 and R-15 multi-family. This is a conventional request for R-17 MF essentially to just do some infill on the back of the site where you can see some vacant area. They will put a couple of additional buildings to get some more units in there and take it up to that R-17 as requested.

It is consistent with the Steele Creek Area Plan. It was adopted in 2012. That does recommend residential of up to 17 DUA. So, again it is consistent with that plan. The staff does recommend approval. No outstanding issues as this is conventional and the site plan associated with it. So, with that, we will be happy to take any questions.

**Brian Smith, 1213 West Morehead Street** said with Urban Design Partner here. I am representing the petitioner. I am happy to answer any questions you may have.

**Councilmember Watlington** said Dave could you just tell me what the rationale is in terms of increasing density? I know it's just a couple of units but from traffic, standpoint being that that's on Moss Road right there.

Mr. Pettine said the rationale for the traffic generation. I have to go back and look at the staff analysis on what the trip gen. was, but I think it was a pretty just modest increase in what was already being generated from the site.

**Brandon Brazil, Charlotte Department of Transportation** said yeah so currently the existing uses generating about 1300 trips and proposed will be around 25060. So, a net increase of about 1200 trips. Which most likely wouldn't trigger any additional improvements with the roadways.

Ms. Johnson said okay for the record this one feels a little bit concerning. That's all.

Mr. Pettine said I think part of the rationale for us was the consistency with the adopted area plan. Typically, that's an indicator for the staff having a review of it when it is consistent with the adopted plans. That gives us a little bit more comfort area that that was an anticipated area for growth and density that's in line with what's being requested. So, I think that's part of where our rationale came from.

Ms. Johnson said I just wonder on those when other rezonings have occurred over the years that were inconsistent with the plan, how that might impact what shows up as an anticipated growth area. Do you know what I'm saying?

Mr. Pettine said yeah.

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

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**ITEM NO. 47: HEARING ON PETITION NO. 2021-121 BY ANTHONY FOX FOR A CHANGE IN ZONING FOR APPROXIMATELY 1.69 ACRES LOCATED ON THE EAST SIDE OF NORTH TRYON STREET, NORTH OF UNIVERSITY CITY BOULEVARD, AND WEST OF EAST W.T. HARRIS BOULEVARD FROM B-2 (GENERAL BUSINESS) TO TOD-CC (TRANSIT-ORIENTED DEVELOPMENT - COMMUNITY CENTER).**

**Mayor Lyles** declared the hearing open.

**David Pettine, Planning** said 1.69 acres. This is [inaudible] North Tryon Street. Its currently zoned B-2 and the proposed zoning is to go to TOD-CC, community Center. The adoptive future land-use for the Blue Line Extension in University City calls for office and retail uses. So, it is generally consistent with that plan, but inconsistent just because it doesn't have that residential component as one of those recommended uses. Of course, TOD would allow all of those offices and retail, but also does allow that residential. So, I do find it inconsistent, but generally, in line with the type of continued development in TOD type development, we're seeing in the University City area. It's less than a half-mile from the Mccullough [inaudible] Transit Station. So, that gives us that ability to consider that TOD-CC District. The staff did feel that was an appropriate transition and we do recommend approval. It is a conventional petition. So, no outstanding issues and no conditional plan to review.

**Anthony Fox, 620 South Tryon Street** said I do have a presentation. I will bypass that. Suffice to say that the property is within a one-half-mile radius of the Blue Line and Mccullough Transit stop. There are other uses in the area that have recently been rezoned to TOD-CC. The current use is Sam's Mart Service Station. The proposed use is allow for TOD-CC would be consistent with the goals and desires of the property owner. I am available to answer any questions that you may have.

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

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**ITEM NO. 48: HEARING ON PETITION NO. 2021-122 BY KAIROL RESIDENTIAL FOR A CHANGE IN ZONING FOR APPROXIMATELY 7.20 ACRES LOCATED ALONG THE SOUTH SIDE OF CLANTON ROAD, NORTH SIDE OF BLAIRHILL ROAD, EAST OF INTERSTATE 77 FROM B-1 (NEIGHBORHOOD BUSINESS) TO TOD-NC (TRANSIT-ORIENTED DEVELOPMENT - NEIGHBORHOOD CENTER).**

**Mayor Lyles** declared the hearing open.

**David Pettine, Planning** said 7.2 acres on Clanton Road and Blair Hill. It's currently zoned B-1. The proposed zoning is for a conventional TOD-NC neighborhood Center. Adoptive future land use from Scaleybark recommends office and industrial warehouse distribution uses for the site. We've seen quite a bit of TOD requests for this area just to the south of it on Blair Hill. We had a recent one. We have a pending petition on Clanton and South Tryon. You can see there's TOD on the other side of that intersection there. So, we are continuing to see a lot of transition to TOD Districts in this area.

It is like I said inconsistent with that recommendation from the Scaleybark Station Plan, but we do recommend approval. It is within a mile walk of both Scaleybark and New Bern Stations. That TOD-NC District is applicable within that one-mile walking distance. So, [inaudible] consider that to be an appropriate transition what we continue to see generally in this area. So, I will be happy to take any questions.

**John Carmichael, 101 North Tryon Street** said here on behalf of the petitioner. We are happy to answer any questions. Mr. Pettine provided all of the information that I would provide in my presentation particularly [inaudible] the fact that it is a conventional rezoning request. Once again happy to answer any question that we can. Thank you for your consideration.

**Councilmember Winston** said my question is for Mr. Pettine. It is actually in relation to another rezoning that's going on right up the street on Clanton and South Tryon, I believe. They want a TOD zoning that is not being supported by the staff. What is the rationale for supporting this one and not the other one? I don't have that one right in front of me. Are those two different TOD Districts? How do those interact or don't interact nicely with one another?

Mr. Pettine said they are two entirely different districts. The one being requested next door is for TOD- UC which is our most intense TOD District. This is for TOD-NC which is probably outside of TR, the least intense TOD District, and the one we typically see as the one furthest out from the station and nearby to the residential type of development. The biggest difference is mainly the height and intensity of those two districts. NC allows up to 75-foot building height max even though the bonus system whereas the UC that's being proposed next door could go up to 300 feet. It's also a difference in the distance. Like I said the UC and CC are within a half-mile of NC and TR within a mile. So, this one falls just outside of that half-mile, but within that mile district. So, that's why the staff felt the NC District was appropriate in this location and the UC with that intensity up to 300 feet for that other petition the staff just continue to have some general concerns with that. That's where our rationale came through for both of those.

Mr. Winston said so I know one of the rationales was the height kind of step down and kind of going west there isn't any type of TOD outside of this petition. So, if there was that kind of step-down effect that contiguous map that we intend to create with TOD, does that potentially change the way we're looking at the potential intensity of development that is being suggested next door? If that makes any sense.

Mr. Pettine said I think we look at it from the station out and at the fridge of where the neighboring petition is, is right there on that kind of a half-mile. That's where we felt the transition to a height that was probably capped at 130 versus up to 300 was more appropriate than this petition that comes in right next door with a cap of 75 continues that kind of step-down pattern from the station where it's most intense to the interstate where you should see some of that transition in height and intensity downward. So, then I think this kind of help compliment the transition we were more supportive of with the CC District that we suggested next door with the petitioner considering the UC District. I think that's where a little bit of the disconnect is for that petition, but in this particular one for NC, I think the staff feels that it's more than appropriate and it's really probably the most logical district to put down this location and this distance away from those two stations.

**Councilmember Watlington** said I just want to point out in light of the discussion you just had while I support this particular petition right now, I would be very concerned if we continue to move across I-77 into those neighborhoods there that are historically vulnerable to displacement over the past 10 years or so. So, I just want to make sure that is worth thinking about TOD radiating from the station. We are also considering how that impacts the neighborhood character and economic mobility and our city. That's all. Thank you.

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

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**ITEM NO. 49: HEARING ON PETITION NO. 2021-123 BY MILL CREEK RESIDENTIAL TRUST FOR A CHANGE IN ZONING FOR APPROXIMATELY 3.03 ACRES LOCATED ON THE EAST SIDE OF SOUTH TRYON STREET, NORTH OF CLANTON ROAD, AND WEST OF SOUTH BOULEVARD FROM TOD-TR (TRANSIT-ORIENTED DEVELOPMENT - TRANSITION) TO TOD-NC (TRANSIT-ORIENTED DEVELOPMENT - NEIGHBORHOOD CENTER).**

**Mayor Lyles** declared the hearing open.

**David Pettine, Planning** also said a conventional TOD petition. This is a request from TOD-TR to TOD-NC. The Scaleybark Station Plan does call for a transit-oriented development mix for this site. This is part of I believe the alignment rezoning where the city took it to TR which is NC and TR are compatible terms of distance of the stations. Both within a one-mile walk of Scaleybark and New Bern. So, that NC District can be applied to parcels within that one mile. NC like I said is comparable to TR. The distance does get into some better designs standards and does eliminate some of those uses like automobile service stations and storage facilities and some of the auto-oriented uses still in the TOD-TR District. So, this kind of gives us to building a step that TOD District up and still keep it complimentary to that distance from the station and also eliminate some of those uses from TR District that sometimes give us a little bit of [inaudible]. So, the staff does recommend approval and we will take any questions if the petitioners are still on the line and [inaudible] presentation.

**Keith MacVean, 100 North Tryon Street** said with Moore Van Allen, assisting Mill Creek Residential. With me tonight and available to answer questions is Alex [inaudible] and Justin Houston. As Dave has mentioned the rezoning from TOD-TR to TOD-NC. Three-point three acres along South Tryon Street is consistent with the New Bern Station Area Plan. We are happy to answer your questions.

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

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**ITEM NO. 50: HEARING ON PETITION NO. 2021-124 BY JUDSON STRING FELLOW; JDSI, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 7.53 ACRES LOCATED ON THE WEST SIDE OF EAST W.T. HARRIS BOULEVARD, NORTH OF ALBEMARLE ROAD, AND SOUTH OF HICKORY GROVE ROAD FROM R-12MF (CD) (MULTI-FAMILY RESIDENTIAL, CONDITIONAL) TO R-8 (SINGLE-FAMILY RESIDENTIAL).**

**Mayor Lyles** declared the hearing open.

**David Pettine, Planning** said seven and a half acres on Harris Boulevard, just north of Wallace Avenue. Also North of Albemarle Road and South of Hickory Grove Road. Currently zoned for R-12 MF conditional. [inaudible] multi-family. The proposed zoning is for an R-8 single-family residential. This is a conventional petition. So, no site plan associated with it. The Eastland Area Plan does recommend multi-family uses up to 12 dwelling units per acre for the site. Again, this is a conventional petition. It is actually a downzoning in density down to the R-8 single-family district. The staff does recommend approval. Because it is that lower density we find that it is still consistent with those recommendations for up to 12 dwelling units per acre. Again, this is coming in at just R-8. So, again it's consistent with the land use that's prescribed and envisioned in the adopted area plan. As directly adjacent to some of the single-family zoning and would allow for a density of I think is a little bit more in line with what you see currently out in that area. So, with that, we will be happy to take any questions following Mr. Stringfellow's presentation. Thank you.

**Judson Stringfellow, 3515 Dovewood Drive** said hi. Good evening. I really don't have anything to add. I will be glad to take any questions.

**Councilmember Winston** said I guess my question would be for Mr. Jaiyeoba or Mr. Pettine would be if we are using a new Comp 2040, or at least putting it up against it and we've moved to eliminate single-family exclusionary zoning, why would staff approve down zoning from multi-family to single-family exclusionary zoning?

Mr. Pettine said I'm not sure I understand the question.

Mayor Lyles said I think the question was why would you approve downzoning for this property?

Mr. Winston said yeah.

Mayor Lyles said that's eight units per acre.

Mr. Winston said yeah.

**Councilmember Eiselt** said that's townhomes right?

Mayor Lyles said yes, single-family, but they're still eight units per acre.

Mr. Winston said yes, but it doesn't specify. I'm not understanding why the staff would co-sign on that if we kind of move away from that.

Mayor Lyles said conditional. I don't know what the conditions were.

Mr. Pettine said yeah it's a conventional R-8 just to allow for whatever development types would be permitted in the R-8 district whether that's the current R-8 district or it comes in under [inaudible] or something similar to that when we have the UDO in place. I think the staff looked at it as a potential to get a better consistent development pattern with what's already out which is primarily single-family to the rear and south of it. But it's still multi-family. I think zoning and uses on either side of Harris Boulevard to the north. The staff didn't see a whole lot of concern with going down to a single-family eight DUA type of project just cause again that's what is more of the pattern and consistent with what's out there currently.

**Councilmember Ajmera** said just to follow up on that. Wouldn't the developer be able to build less units even though you can build up to R-12? Are the setback requirements different? I'm just trying to understand why would someone go with downzoning when you can already build less units in this.

Mr. Stringfellow said the current zoning there is old conditional zoning that includes a bunch of adjacent property that's already been redeveloped. Some of which was rezoned to R-6 I believe it was. So, we can't do anything on the property now because the conditional zoning plan that's on it can't be built. We have some adjacent properties that's zoned R-8 and we are rezoning this to go with that adjacent property, but the R-12 conditional zoning that's on it right now cannot be built regardless.

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

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**ITEM NO. 51: HEARING ON PETITION NO. 2021-126 BY NORTH CAROLINA KENWORTH, INC. DBA. MHC KENWORTH FOR A CHANGE IN ZONING FOR APPROXIMATELY 5.57 ACRES LOCATED ON THE SOUTH SIDE OF EAST WESTINGHOUSE BOULEVARD, EAST OF NATIONS FORD ROAD, AND WEST OF DOWNS ROAD FROM I-2 (CD) (GENERAL INDUSTRIAL, CONDITIONAL) TO I-1 (CD) (LIGHT INDUSTRIAL, CONDITIONAL).**

**Mayor Lyles** declared the hearing open.

**David Pettine, Planning** said this is about five and a half acres. It's on Westinghouse Boulevard. Just east of Nations Ford Road and West of Downs Road. It's currently zoned I-2. It's an old conditional plan and the proposed zoning is to drop down to an I-1 conditional. We'll get into the explanation on that with you in just a moment. Steele Creek Area Plan does recommend industrial warehouse distribution uses. So, it is consistent with that plan. The proposal is to allow truck and auto sales and service repair. As well as other uses permitted in I-1. It does prohibit some uses that were a continuation and carry over from the previous I-2 conditional. Things like demolition, land fields, jails, prisons, land clear debris and land fields, petroleum storage facilities, tire recapping. Some of those more obnoxious uses that are found in I-2 are also prohibited in this conditional plan.

Access would be from Westinghouse Boulevard. It does maintain there was a previous 75-foot-wide class A undisturbed buffer to the rear of the property. That's been maintained from the previous conditional plan as well. Outdoor storage areas will be located to the rear of the building. This is essential to allow the continuation of an existing use that has some of those truck and auto sales that they'd like to move forward with on the site. I-2 doesn't allow that. So, the I-1 conditional will allow them to do that while also providing some conditions and assurances on future uses and again maintaining that 75-foot undisturbed buffer to those residential properties to the rear. The staff does recommend approval of this petition. We do have some outstanding technical issues that need to be worked through. Again, it is consistent with the area plan. We will be happy to take some questions following Mr. MacVean's presentation. Thank you.

**Keith MacVean, 100 North Tryon Street** said with Moore Van Allen representing Murphy Hoffman, North Carolina Kenworth. Also, online with us tonight is Allen Cade with the petitioner and [inaudible] with [inaudible] Consulting. As Dave has mentioned a request really to rezone from I-2 CD to I-1 CD to allow the existing Kenworth Auto Service Center to also sell trucks. Something that isn't allowed in the I-2 District and requires the I-1 zoning. We will be addressing the outstanding issues and submitting a revised plan for the Zoning Committees' consideration. We are happy to answer your questions.

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

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**Items 52 And 56 Were Erroneously Placed On The Agenda; The Hearings Were Held On November 15th.**

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**ITEM NO. 53: HEARING ON PETITION NO. 2021-131 BY WEST MOREHEAD VENTURES, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 0.48 ACRES LOCATED ON THE EASTERN QUADRANT OF THE INTERSECTION OF HARDING PLACE AND KENILWORTH AVENUE, WEST OF SOUTH KINGS DRIVE FROM UDD-O PED (MIXED-USE DEVELOPMENT, OPTIONAL, PEDESTRIAN OVERLAY) TO O-2 PED (OFFICE, PEDESTRIAN OVERLAY).**

**Mayor Lyles** declared the hearing open.

**David Pettine, Planning** said it's about a half-acre on Kenilworth and Harding. The current zoning is MUDD-O. The proposed zoning is for an O-2 conventional. Both have that PED overlay on them. The O-2 convention would also carry that forward. The Midtown Morehead Cherry Area Plan does call for office uses at this site. So, this petition would be consistent with that. Again, it is a conventional O-2. Consistent with the plans. The staff Mr. Egleston said does recommend approval. No outstanding issues or no site



plan to work through or discuss. So, we will be happy to take questions following any comments or information shared from the petitioner. Thank you.

**Keith MacVean, 100 North Tryon Street** said with Moore Van Allen, representing West Morehead Ventures. Shane Seagal is also on the line representing West Morehead Ventures. As Dave mentioned conventional request really to eliminate an old conditional plan. The property owners are no longer have a desire to pursue a request to rezoned back to O-2 with PED overlay consistent with the other zoning in the area consistent as Dave mentioned with the Cherry Midtown Area Plan. I am happy to answer questions.

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

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**ITEM NO. 54: HEARING ON PETITION NO. 2021-132 BY EEA-WILDWOOD, LLC FOR A CHANGE IN ZONING FOR APPROXIMATELY 16.58 ACRES LOCATED ON THE WEST SIDE OF SCALEYBARK ROAD, NORTH OF EAST WOODLAWN ROAD, AND EAST OF MURRAY HILL ROAD FROM R-12MF (CD) (MULTI-FAMILY RESIDENTIAL, CONDITIONAL) TO R-17MF (CD) (MULTI-FAMILY RESIDENTIAL, CONDITIONAL).**

**Mayor Lyles** declared the hearing open.

**David Pettine, Planning** said sixteen and a half acre off of Scaleybark Road and Brookrun Drive. It's just north of East Woodlawn and East Murrayhill Road. Current zoning is R-12 conditional multi-family. The proposed zoning is for R-17 multi-family. Also, a conditional plan is being requested for this rezoning. The Park Woodlawn Area Plan does recommend residential of 12 units per acre. This petition is proposing to build one additional building within the [inaudible] areas that's already established there. That would add an additional 16 units on the site. Which would bring the total up to 264. That's gives us a density of I think just about, right about 15.9. So, right about 16 dwelling units to the acre. The petition also proposes an installation of 88 compliant ramps at the intersection of Scaleybark Road and Broadmoor Drive. Also, the site's main access intersection on the Scaleybark also modifies the concrete island that's out there on Scaleybark. That would create a pedestrian refuge [inaudible] folks that need to cross. They would also dedicate 30 feet of right-away measure from the centerline along the site frontage of Scaleybark Road. Also, all sidewalks and crosswalks network the buildings on the site to that existing infrastructure. The staff recommends approval. We do have some outstanding issues related to transportation. As mentioned, that needs to be worked through. [inaudible] for that not being on the slide. It is inconsistent with the recommendation for 12 dwelling units per acre but just adding that one building with 16 units. The staff feels that was a reasonable request and that density just comes in at about 15.9 versus 12. So, we felt again that was a reasonable add and a bit of infill on this project along with some of the transportation and pedestrian improvements that are being proposed. So, with that, we will be happy to take any questions following the petitioner.

**Keith MacVean, 100 North Tryon Street** said with Moore Van Allen, representing EEA Wildwood. On the line with us, tonight is Mr. Jameel Nabulsi. He's available to answer questions. As Dave mentioned a rezoning [inaudible] to Wildwood Apartment existing on Scaleybark Road. Rezoned back in 1979 to R-12MF CD. Developed with 248 units, this petition would allow an additional 16 units in one or two buildings in the center of this site. It would replace some existing tennis courts with the new building. There would be some additional green space and recreational [inaudible] as part of the new building. It does not displace existing buildings. It does increase the density slightly from 14.95 units to the acre just to roughly over 15 as Dave mentioned. Just under 16. We have submitted a revised plan addressing the remaining issue. We are happy to answer your questions.

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

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**ITEM NO. 55: HEARING ON PETITION NO. 2021-134 BY GREG FINNICAN FOR A CHANGE IN ZONING FOR APPROXIMATELY 1.41 ACRES LOCATED AT THE SOUTHWEST INTERSECTION OF STATESVILLE ROAD AND MOTORSPORTS LANE, SOUTH OF CINDY LANE, AND EAST OF INTERSTATE 77 FROM B-2 (GENERAL BUSINESS) TO I-1 (LIGHT INDUSTRIAL).**

**Mayor Lyles** declared the hearing open.

**David Pettine, Planning** said it's currently zoned B-2. It's on Statesville Road and Motor Sports Lane. The proposed zoning is for I-1 conventional. The adopted future land use is from the Northeast District Plan. That calls for industrial uses for the site. Generally, this area is on the west side of Statesville Road. As you can see a lot of that is in that light brown and dark brown color there. So, this petition would be consistent with that request. This is a conventional petition. So, there's no site plan around standing issues to work through. The staff does recommend approval. I believe we do have the petitioner with us. If you got any other information you'd like to share feel free and we will take any questions following that. Thank you.

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

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**ITEM NO. 57: HEARING ON PETITION NO. 2021-095 BY KENJOH OUTDOOR FOR A CHANGE IN ZONING FOR APPROXIMATELY 2.85 ACRES LOCATED ALONG THE SOUTHEAST INTERCHANGE OF INTERSTATE 77 AND INTERSTATE 85, WEST OF STATESVILLE AVENUE FROM I-1 (CD) (LIGHT INDUSTRIAL, CONDITIONAL) TO I-1 (LIGHT INDUSTRIAL).**

**Mayor Lyles** declared the hearing open.

**David Pettine, Planning** said it's 2.8 acres. It's along the southeast interchange of I-77 and I-85, just west of Statesville Avenue. Currently zoned I-1 conditional. This is proposed zoning just to go to an I-1 conventional. You can see the adopted future land use from the Central District Plan continues to call for industrial uses for this site. Along with some greenway uses for the site. So, this petition would be consistent with that land use recommendation. Again, this is a conventional request for I-1. So, it is consistent with the Central District Plan. The staff does recommend approval. We do not have any outstanding issues. Again, there is no plan with this one. So, we will be happy to take any questions following any additional information from Mr. Brown. Thank you.

**Collin Brown, 1420 East 7th Street** said on behalf of the petitioner. Pretty straightforward petition. I think Dave has covered it. I would mention that the property owner Charlotte Mecklenburg Schools, intends to continue ownership of the property It's conventional. So, I don't have details to share, but I am happy to answer questions or follow up outside of this hearing if you would like more information.

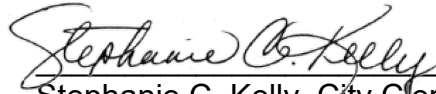
Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, and carried unanimously to close the public hearing.

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**ADJOURNMENT**

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

The meeting was adjourned at 11:35 p.m.



Stephanie C. Kelly, City Clerk, MMC, NCCMC

Length of Meeting: 6 Hours, 36 Minutes  
Minutes Completed: March 25, 2022