

The City Council of the City of Charlotte, North Carolina convened for a Business Meeting on Monday, April 26, 2021 at 4:45 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, Renee Johnson, Matt Newton, Greg Phipps, Victoria Watlington, and Braxton Winston, II.

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**Mayor Lyles** welcome everyone to April 26, 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 of the City's YouTube Page.

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### INVOCATION AND PLEDGE

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

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

**Marie Harris, Strategy and Budget** said again you have the questions before you, several of them are on business items that you'll had a chance to discuss, but also wanted to highlight there were three different ones on the consent items and give people a chance. Mr. Phipps and Mr. Winston and also anyone else, if they had additional questions beyond these before they go into considerations later in the evening.

**Councilmember Winston** said it doesn't look like, even with that link, that I can't tell that the questions that I had were specifically answered. So, I know you said it would be a person from Duke Energy available to ask questions. I would like to be able to do that.

Ms. Harris said yes and Mayor it's our pleasure if you'd prefer to do that now or later in the meeting. John Lewis is available and there's somebody from Duke, and the vendor is available online as well.

**Mayor Lyles** said the question is that Duke's subsidiary provides electrification, how is it being generated. Is that what you are addressing Mr. Winston?

Mr. Winston said yes ma'am.

Mayor Lyles said I think let's go ahead and try to get that done now so that we can proceed.

**John Lewis, Chief Executive Officer of Charlotte Areal Transit System** said Mr. Winston, I believe we have on the line Greg Fields from eTransEnergy, which is a subsidiary of Duke.

**Greg Fields, Managing Director of eTransEnergy** said eTransEnergy is a subsidiary of Duke. However, we do not generate electricity. The electricity is generated from Duke Energy Carolinas or the utility of choice for the area. So, we do not sell electricity. We do have provisions and some of the future phases if we could go that far with the City to look at some renewable energy on-site, but that's not part of the program right now.

Mr. Winston said if I'm hearing you correctly, is it correct that I don't want to get the name wrong, eTransEnergy does not use the energy that's flowing through your products is not being generated by renewable sources?

Mr. Fields said it is Grid Energy that will flow through the infrastructure that will charge the battery-electric buses. That Grid Energy in the Carolinas in 2020 was roughly 60% non-carbon sources. So, that is the same as some of the goals for the City of Charlotte. Duke Energy has a goal to be at least 50% systemwide, although Carolinas is higher than that. We and we have a goal by 2050 to be 100%, very similar to the City of Charlotte in energy.

Mr. Winston said I guess a follow-up question would be, and I don't know who is the appropriate person, while this will reduce our fleet's emissions, this doesn't necessarily reduce the overall impact of electricity that is generated through the burning of fossil fuels overall. This actually in one way increases the demand for those fossil fuel-generated electricity sources.

Mr. Fields said the makeup of energy is going to be the same and continuing to reduce from the Duke Energy utilities, but it will require more electricity to run battery, electric buses than you currently use.

Mr. Winston said I just wanted to point out to the City Manager, I think this gets us closer to our internal goals overall and that is clear. I think there is nuance to whether or not overall, we are having the type of marginal impacts that we ultimately could have. I think in particular being that there obviously have the market forces behind this, we are a major player in that market. So, as we are trying to achieve our goals, I think we should, I guess, make it as clear as possible to the market what we're demanding. So, if we want to reduce the overall impact of fossil fuels and coal and carbon burning emissions, I don't think it is good enough just to say, hey, we're doing something better in our organization, but we need to push to have as much impact possible on the overall market. So, that's why I will be voting against this. I think if we are really trying to get to those goals of the SEAP (Strategic Energy Action Plan) and creating the type of environment for our grandchildren and grandchildren's grandchildren, we have to use as much leverage as possible. So, if the market thinks that there's a possibility, if they don't amplify this, that this might not be a viable product, they might be encouraged to make more changes in a quicker fashion. Thank you.

**Councilmember Eiselt** said I think I hear what Mr. Winston is saying. However, I guess my questions would be there for our Duke representative or for Mr. Lewis. These are buses that we would have to have for 12 years. Is that correct, John?

Mr. Lewis said 12 years or 500,000 miles? That's correct.

Ms. Eiselt said so, presumably over that time and Mr. Fields, maybe you can speak to that a little bit, that mix on the Grid, we sure hope will change as the technology gets better with renewables. So, I think I see this is a great opportunity for us to get into electric vehicles because it's really expensive, and to do this with a partnership helps get us there, and we should be looking at this over the long term of 12 years versus just right now.

Right now I hear what you're saying and it's perhaps an even trade-off, but I don't know that waiting until the technology is there while we have this opportunity right now, which I think is I'm appreciative for Mr. Fields. I hate to pass up on that when we've got that 12-year runway where the technology will continue to get better and cleaner. So, just to offer that opinion.

**Councilmember Watlington** said to follow up on Ms. Eiselt, just so I'm clear, what is the alternative?

Mr. Lewis said the alternative; I think we have to divide this question up into two parts. I again understand the concern about where the ultimate energy is coming from, but I think that we can continue to have that conversation on a macro basis, but this is the provider of electricity for our region, I will say. So, the only option is to go with another technology, either stay with our diesel fuel vehicles or perhaps go to compressed natural gas or something else, which is going to bring up other concerns about how the energy is generated and others. In this case, from our standpoint, we're looking to provide a

cleaner, more sustainable technology for our fleet while we continue to have broader conversations about how that energy is generated.

Ms. Watlington said so, this puts us in a position to have a technical foundation without having to create a lot of extra capital investment later on as technology improves?

Mr. Lewis said that's correct.

Mayor Lyles said I think all of us understand this dilemma, but the dilemma is not just one in our community, it's a national issue. I think the administration is trying as quickly as possible to create the opportunities and our tax dollars are actually going for this kind of work at the federal level. I also want to say the MTC (Metropolitan Transit Commission), that has reviewed this, believe me, talked extensively about what are our options and alternatives. The cleanest one, and particularly in the summer in Charlotte, was to begin to use electric buses. So, I think that all of us understand that we are in a time of innovation and change. I believe that this country is up to it and we all know what that means.

**Councilmember Phipps** said I guess I'm still struggling with the pilot project of 12 to 18 months, yet we are buying buses that we're going to have to keep 12 years or 500,000 miles, I guess, whichever comes first. What is the purpose of the pilot but to determine whether or not these electric buses will be able to reliably transport our residents under Charlotte's current conditions and such? I thought that was the purpose of the pilot to see if these electric buses were as reliable as we think they could be.

Mr. Lewis said if I may address that. The issues that we are trying to understand in the pilot, there are multiple manufacturers in this field. So, looking at the experience of transit agencies across the nation, depending upon a myriad of factors, whether use, topography, etc., each individual manufacturer may have a different performance. So, we want to use this pilot period to evaluate which manufacturer's model will provide us with the best performance moving forward. So, that's what we're going to look at over the 18 months, along with the changes in our operating profile that may be required as a result of this. At the end of the pilot, we hope we will have information that will allow us to choose the highest-performing model of an electric bus that we can then move into complete fleet transition. Your question about leasing, the Federal Government does allow us to lease vehicles, but they won't require us to lease that over the same period of time, 12 years or 500,000 miles. We will not be able if we're going to use federal funding to terminate a lease early at the end of a pilot, give the vehicle back without having to pay back that Federal Investment.

**Marcus Jones, City Manager** said John, that federal match is how many cents on the dollar?

Mr. Lewis said it's upwards of 80%, but for the Low-No Grant that we received, it's a 50 50 match.

Mr. Phipps said so, my question is then, we cannot lease the buses for our pilot period, we just have to purchase them for the 12 year period?

Mr. Lewis said that is correct, sir.

**Councilmember Ajmera** said I want you to address the concern that was raised by Mr. Winston. He brings up a valid point about the source of the energy. While I understand that that is important, as a City in 2018, we had made a commitment to electrifying our fleet. I don't see any other solution to electrifying our fleet where we are getting private match dollars, we are getting a Federal Grant, and if we pass on this opportunity, I don't know when you're going to get an opportunity like this where we will be far behind in meeting our 2030 internal Citywide goals.

When I say that, I also want to recognize the work that has been done by our Sustainability and Resiliency Department. They have sent a letter to the Utilities Commission asking for energy providers to change their mix to provide clean energy. So, we are already

advocating for cleaner energy sources. So, that effort is already underway. If you don't have a copy of that letter, I can ask Sarah or someone from her team to send a letter. It was a very strong letter that the City had sent in support of the cleaner energy mix, and we need to recognize that while we continue to electrify our fleet.

Last but not least, I think Councilmember Watlington asked a very good question. What's the alternative here? The alternative is that we continue to have diesel buses that pollute our City streets. So, this is a great alternative. Many families ride our public transportation system. We don't want them to ride in diesel buses that are already creating pollution. So, I know it's not a perfect solution, but this is the best we have got. So, I hope my colleagues would support this while continue to advocate for cleaner energy sources, as Mr. Winston alluded to earlier. Thank you.

**Councilmember Johnson** said I just want to piggyback off for Councilmember Phipps asks as far as the term. So, this is the pilot and we're spending X number of dollars to buy the buses. It's my understanding that we're buying them from different vendors. Is that correct?

Mr. Lewis said that is correct.

Ms. Johnson said so, we're going to select one of the vendors because of the performance. So, we will have buses from other vendors that we're not going to be using, and I think that that's the concern for Mr. Phipps and will be my concern also that we're spending the taxpayer dollars. It's a lot of money, and, yes, we're working towards a great goal, but is there an alternative before we commit to a 12-year purchase or lease? Is there an alternative way to go about this because right now we're going to have buses that we're not selecting the vendor and we just will have spent, and you can clarify what the cost will be per bus, but we'll spend that money and not using that equipment?

Mr. Jones said John, I'll take the first pass at this and it's somewhat to the credit of you and what's happening at CATS (Charlotte Area Transit System). Eighteen months ago, we were having a very different discussion where John would come into this room and whether it was Councilmember Ajmera or Councilmember Winston or Councilmember Eiselt, and ask, why couldn't CATS do some things like the Airport? I'm sorry, John. I'm just going to lay it out there. So, it was, a different model with the Airport running a loop and things of that nature. I think the gist of what we're doing now is because we weren't certain about the technology and how it would work in Charlotte, having a series of different vendors and different buses, gives us an opportunity to test this in a way that 18 months ago we hadn't even thought about it. So, I just want to make sure I know John will and more, but I just want to congratulate CATS for taking this innovative step to see how we can get to a point where we can have an electrified bus system. I just want to say that, John.

Mr. Lewis said thank you, Mr. Manager. I agree wholeheartedly with your comment. I think the only thing that I would add is Councilmember Johnson, the difference between multiple manufacturers may only be minor differences. I'm making up numbers in this case, but we may choose a bus that can go 10 hours on a charge rather than nine and a half. So, that doesn't mean that the nine-and-a-half-hour bus does not work. We're trying to get the maximum return on our investment. So, we're going to choose a bus that works best for us in this environment. We will continue to use the other 14 or 16 buses depending upon who we choose at the end of this, and we will run them for the next 12 years.

The last thing I will say is we have to remember CATS has not replaced a vehicle in two years. So, we have some really old diesel buses that are still in operation that I'm anxious to transition to much cleaner technology. So, whether or not these 18 vehicles that we are requiring, we're going to end the pilot with choosing one, but we will still get 12 years of use out of the other vehicles.

Mayor Lyles said is there any other questions on a Consent Item that you have for the staff? Are there any item you wish to have a separate vote on?

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Mr. Winston said yes, ma'am, number 27.

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CONSENT AGENDA

Motion was made by Councilmember Egleston, seconded by Councilmember Graham, and carried unanimously approve the Consent Agenda as presented, with the exception of Item No. 27, which was pulled for a separate vote.

The following items were approved:

**Item No. 20: Records Authorization for a SAFE Charlotte Plan Initiative**  
Authorize the sharing of specified Charlotte-Mecklenburg Police Department personnel data and records with BEWorks Inc. for the purpose of research and analysis in support of the SAFE Charlotte Plan.

**Item No. 21: School Zone Flashing Light Equipment**  
(A) Approve the purchase of school zone flashing light equipment, by the sole source exemption, (B) Approve a contract with J.O. Herbert Company Inc., for the purchase of Solar and AC RTC School Flasher Systems for the term of three years, and (C) 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. 22: Building Automation HVAC Equipment, Supplies, and Installation**  
(A) Approve the purchase of building automation HVAC equipment, supplies, and installation from a cooperative contract, (B) Approve a unit price contract with Automated Logic Corporation Inc. for the purchase of building automation HVAC equipment, supplies, and installation for a term of three years under BuyBoard contract 631-20, December 1, 2020, and (C) Authorize the City Manager to extend the contract for additional terms as long as the cooperative contract is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contract.

**Item No. 23: Citywide Concrete and Asphalt Maintenance Services**  
(A) Approve unit price contracts with the following companies for concrete and asphalt maintenance services for an initial term of three years: Barry’s Concrete and Service, Inc., DOT Construction, Inc. (SBE), Ground Thunder Construction, Inc., Piedmont Parking Solutions, LLC d/b/a Carolina Site, Tarpon Construction, Inc. (SBE), and (B) Authorize the City Manager to renew the contracts for up to two, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

**Item No. 24: Construct Bryant Farms Road Extension Progressive Design-Build Project**  
Approve a lump sum contract in the amount of \$1,438,696 with Blythe Development Co. for Phase 1 of the Bryant Farms Road Extension Progressive Design-Build Project for an initial term of two years.

**Item No. 25: Construct Westinghouse Boulevard Multi-Use Path**  
Approve a contract in the amount of \$3,975,597.45 to the lowest responsive bidder Eagle Wood, Inc. for the Westinghouse Boulevard Multi-Use Path project.

<b><u>Summary of Bids</u></b>	
Eagle Wood Inc.	\$3,975,597.45
DOT Construction	\$4,000,896.58
United of Carolinas Inc.	\$4,496,708.83
Blythe Development Company	\$4,669,034.18
Sealand Contractors Corp.	\$4,853,588.03
J.D. Goodrum Company	\$4,933,168.16

**Item No. 26: Public Auction for Disposal of Surplus Equipment**

(A) Adopt a resolution declaring specific vehicles, equipment, and other miscellaneous items as surplus, (B) Authorize said items for sale by public auction on May 15, 2021, and (C) Authorize the City Manager to approve certain administrative and storage fees as may be required from time to time for auction events.

The resolution is recorded in full in Resolution Book 51, at Page(s) 471-483.

**Item No. 28: Sanitary Sewer System Modeling and Support Services**

(A) Approve unit price contracts for hydraulic modeling and support for the sanitary sewer capacity assurance program for an initial term of one year to the following: Brown and Caldwell, HDR Engineering, Inc. of the Carolinas, and (B) Authorize the City Manager to renew the contracts for up to three, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

**Item No. 29: Water and Wastewater Treatment Chemicals Reverse Auction**

(A) Approve unit price contracts for the purchase of water and wastewater treatment chemicals for an initial term of two years to the following: Brenntag Mid-South, Inc., Carus LLC, Chemtrade Chemicals Corporation dba Chemtrade Chemicals US LLC, Colonial Chemical Solutions, Inc., Donau Carbon US LLC dba Standard Purification, JCI Jones Chemicals, Inc., Kemira Water Solutions, Inc., Lhoist North America of Virginia, Inc., Polytec Inc., PVS Technologies, Inc., Univar USA Inc., Water Guard Inc., and (B) Authorize the City Manager to renew the contracts for up to one, one-year term with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

**Item No. 30: Airport Ramp Dual Taxilane Design Contract**

(A) Approve a contract in the amount of \$1,213,454 with RS&H Architects-Engineers-Planners, Inc. for design services for the Airport Ramp Dual Taxilane project, and (B) Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.

**Item No. 31: Meeting Minutes**

Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of: February 15, 2021 Zoning Meeting, and February 22, 2021, Business Meeting.

**PROPERTY TRANSACTIONS**

**Item No. 32: Aviation Property Transactions - 7629 Joy Lane**

Acquisition of N/A at 7629 Joy Lane from Gary N. Hunter and Michael Eric Hunter for \$208,000, and all relocation benefits in compliance with Federal, State, or Local regulations for the Aviation Master Plan. This property is acquired in accordance with Federal Guidelines 49 CFR Part 24 of the Uniform acquisition and relocation Act of 1970.

**Item No. 33: Property Transactions - Idlewild/Monroe Intersection - Phase II, Parcel #20**

Resolution of Condemnation of 2,664 square feet (0.06 acres) Fee Simple, 1,608 square feet (0.037 acres) Utility Easement, 761 square feet (0.017 acres) Retaining Wall Easement, 6,544 square feet (0.15 acres) Sidewalk Utility Easement, 4,757 square feet (0.109 acres) Temporary Construction Easement at 6100 Monroe Road from ALC Mosaic Inc for \$89,600 for Idlewild/Monroe Intersection - Phase II, Parcel #20.

The resolution is recorded in full in Resolution Book 51, at Page (s) 484.

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## ITEM NO. 27: CATS BATTERY ELECTRIC BUSES AGREEMENT

Motion was made by Councilmember Egleston, seconded by Councilmember Eiselt, to (A) Authorize the City Manager to negotiate and execute an agreement with eTransEnergy, a Duke Energy company, to provide a phased program for a conversion to an electric bus fleet in alignment with the City's Strategic Energy Action Plan goals, and (B) Authorize the City Manager to negotiate and execute any amendments necessary to carry out the program, including for electric buses, charging infrastructure, and related electrical infrastructure installation services.

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

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

NAYS: Councilmember Winston.

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## ITEM NO. 2: ACTION REVIEW AGENDA OVERVIEW

**Marcus Jones, City Manager** said we have Pam Wideman in tonight that will give you an update from the work of the Great Neighborhoods Committee related to the non-residential building code ordinance and the proposed revision so I will turn it in over to Pam and her team.

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## ITEM NO. 3: NON-RESIDENTIAL BUILDING CODE ORDINANCE PROPOSED REVISIONS

**Pam Wideman, Director of Housing and Neighborhood Services** said it's good to be with you tonight. Actually, I just want to set this up and I'm going to turn this over to Jane Taillon, our Code Enforcement Manager. Many of you all are familiar with Jane and the great work that she and her team does. Just as a reminder, this item was referred to the Great Neighborhoods Committee, I believe it was late last year, after several rounds of discussion, the committee focused on the nuisance conditions of commercial properties and asked us to review the Non-Residential Building Code Ordinance. So, Jane is going to walk you through the review of that, her community engagement portion of that, and then some recommended changes to that.

The last thing I would say is that at our last discussion in Great Neighborhoods, we understand that it is the committee's position that we continue to collaborate with CMPD (Charlotte Mecklenburg Police Department) to continue addressing the people portion as it relates to nuisance. So, with that, I'll turn it over to Jane Taillon.

**Jane Taillon, Housing and Neighborhood Services** said thank you for the opportunity to provide you guys with an update on the City's Non-Residential Building Code. Today, we'll be reviewing the Committee Referral and Actions of the Non-Residential Building Code, the Stakeholder and Community Engagement Process, Recommendations, and lastly, we'll discuss the next steps.

Let's start by discussing the Committee Referral. Pam went over this a little bit. In 2020 the Nuisance Abatement was referred to the Great Neighborhoods Committee. The Committee discussions focused on new conditions. The Committee discussions focused on nuisance conditions and activities at commercial properties with an emphasis on how these properties impact our opportunity corridors. Out of that discussion, the Committee took action to review the Non-Residential Building Code and has proposed revisions for consideration by the full Council. The Committee will continue to discuss the abatement of criminal nuisance activities at commercial properties.

When we talk about enforcement at our commercial properties, it's important to note that code enforcement can address the conditions related to a commercial structure through the Non-Residential Building Code Ordinance. Our code addresses the exterior of the property through the health and sanitation and zoning ordinances, while the Charlotte Mecklenburg Police Department is responsible for addressing any crime or activity by persons at a commercial property.

In addition, Code continually works with Charlotte Mecklenburg Police Department through the Nuisance Enforcement Strategy Team to collaborate on commercial and residential structures that are problematic in our communities. As a reminder, Charlotte gets its authority from the North Carolina General Statutes, which allows local municipalities to adopt ordinances. The Non-Residential Building Code is regulatory. It provides specific rules, it's prescriptive, it provides direction, and it is meant to prevent decay and deterioration and eliminate blight. The Non-Residential Ordinance was adopted by Council in 2009 and implemented in 2010. It enforces minimum standards for commercial buildings and ensures safe and sanitary conditions for commercial structures. It mirrors our housing code with a few minor exceptions, and it gives Council the authority to order In-Rim repair action to demolish a structure. A commercial building is inspected when Code receives a citizen complaint, a public agency referral, or identifies a substandard structure in the field.

Since 2010, Code has worked with property owners to bring over 1300 commercial structures into compliance with only 22 being demolished, which is less than two percent of all cases. After the initial implementation of the Non-Residential Building Code, we've averaged approximately 70 cases per year. The process for a Non-Residential Building Case mirrors our Minimum Housing process. So, the staff either receives or initiates a case. We conduct an inspection and a hearing date as scheduled. The owner can make repairs prior to the hearing. After the hearing determination is made as to whether or not we're going to issue a demolition order or a repair order. Then the owner has 30 days to bring the property into compliance. If the owner does not comply, Code has a couple of tools in their belt. We have civil penalties, we have environmental court, and in the event, a demolition order was issued, we can come to you to request an ordinance for In-Rem Action.

During our review, the staff convened a Stakeholders Group, conducted multiple virtual sessions, and launched a website where residents could follow the process and complete a survey. Our target audience for the engagement efforts included business owners, the real estate industry, the building industry, area hotels, and motel operators and residents. Our stakeholder group included 10 members who met regularly starting in January and included representation from City Code Enforcement, CMPD, County Permitting, the Health Department, the Commercial Real Estate Industry, the Building Industry, and the Hotel Industry. We used multiple social media accounts, including Facebook, Twitter, Instagram, and Next Door across multiple departments, including the City of Charlotte accounts, the Housing And Neighborhood Services accounts, and the Charlotte Business Resources accounts, as well as newsletters and the media to notify residents and encourage engagement in this process.

A review of the community engagement data shows that business owners responded at the highest rate and most respondents have little to no familiarity with the Non-Residential Building Code. In fact, 81% have never been involved in this type of action. Through the survey and in-person virtual sessions, respondents were given the opportunity to provide feedback. The most common themes were accountability, appearance, and grant opportunities. We heard from the community that they want business owners to be held responsible for their buildings and the appearance they create in their communities. However, they want resources to be available to assist property owners if needed.

Let's talk about the recommendations that came out of the stakeholder group. We're going to start with Civil Penalties. Currently, the Civil Penalty for Non-Residential Building Code cases is \$500 for the first day and \$50 for each additional day. The maximum the City could assess is up to \$500 per day, per our General Statutes. The Stakeholders Group considered several approaches to this provision and there were a lot of discussions given



the current state of our community. There was concern around a significant increase in the current penalty and how that would impact businesses that may already be struggling. The Stakeholders Group is recommending a change to the Civil Penalty from \$500 for the first day and \$50 for each additional day to a flat rate of \$100 per day. This increase will mirror the recent increase in Civil Penalties for our Housing Code.

There are six standards of fitness that are recommended for change or additions to the ordinance. The first is to clarify language related to life safety systems by adding smoke, fire, and carbon monoxide detectors or alarms. This will create a new policy and upon inspection, if the staff identifies a deficiency with this provision, we will work with the Charlotte Fire Department to address the violation. Under the external maintenance standards, we have two provisions and one update.

First, we recommend a new language for requirements related to breaker boxes in order to spell out electrical safety requirements. Second, we recommend adding the requirement that all doors be operable. The current ordinance only addresses windows. Lastly, we recommend clarifying language related to structural deficiencies by adding specific language for rafters and joists.

Under interior maintenance standards, first, we recommend clarifying language by adding requirements for wall and ceiling coverings. This will allow the staff to require wall and ceiling covering to be more consistent with the Housing Code and the requirements for dwellings when residents are living in an extended stay situation. Second, we recommend adding language that requires cooling systems that are already installed to operate in the way it was intended. This does not require the installation of a new system, just the upkeep of the existing system

Our next steps are to conduct a public hearing on May 10th, followed by a Council vote on May 24th. If that vote is favorable, we will update the community, train the staff, and have an implementation date of July 1st of 2021. As a reminder, this is not the end of the discussion regarding unwanted activities taking place at our commercial properties. The Great Neighborhoods Committee will continue that work. I just want to thank everybody on that Committee for their guidance while we were going through this process.

**Councilmember Graham** said I just want to thank you and the staff for the work you've done on the Non-Residential Building Code Ordinance. I think it's really a good step in the right direction as we begin to look at some of the commercial shopping centers and vacant lots where people have property along our Corridors Of Opportunity. Certainly, I think we went as far as we can go. The bigger concern was also crime and the criminal element that tends to linger at some of these sites, which is a little different from Code Enforcement. I'm happy to see that the action that Federal Government took on last week in a commercial shopping center in Ms. Watlington's District. I think that's a step in the right direction. So, hopefully, some of the conversations that we were having over the last several months enhanced what happened there and that we can really begin, Mr. Manager and Mr. Attorney, to think about other sites within our community that are a haven and provides safe passage for those on these corridors that have an open-air drug market, or are doing drug activities or violent activities. The number of calls for service, which is not directly related to Code Enforcement, but has everything to do with why this particular item went to the Committee.

So, I think we addressed some of the low hanging fruits with these recommendations and hopefully, we have the stamina to continue to move forward as a Council to really work with the City Attorney's Office and the City Manager's Office, along with Charlotte, Mecklenburg Police Department, and Chief Jennings, to really crackdown in a very significant way on nuisance property that are on our corridors that are providing this type of safe haven for illegal activities and the large volume of requests for services coming from our neighborhood leaders and neighbors in reference to some of them. So, good work here. I'm glad that what happened last week occurred and hopefully that we contain the momentum in terms of not only watching what they're doing as relates to their basic Code Enforcement opportunities and the ordinance that we have in front of us, but also the longer-term fight, which is to make sure that these properties are complying with the

law and that they are being good neighbors along these corridors and that they're contributing to the upfitting of these corridors and not the detriment of them. So, thank you for the presentation.

**Councilmember Phipps** said these particular recommendations, they just deal solely with structural deficiencies and appearance, they don't address things like loitering and things like that?

Ms. Taillon said Mr. Phipps, Code Enforcement can address anything people-related. We partner with CMPD to help us with those issues.

**Councilmember Johnson** said thank you to Ms. Taillon for the job that she did with these recommendations. She always does a great job. She's responsive. So, I look forward to hearing more. I do have a question that this is a good place to ask. I understand this is regarding the structural compliance, but in my District, there was a club or a bar that lost its liquor license because of violent activity with CMPD and it felt like that, that action was swift. I'm wondering if those types of actions, while we might not be able to address these nuisance properties on Beatties Ford Road and other areas, I guess from a City perspective if we're addressing their liquor license and doing things like that. So, I'm not sure how that with the Press Club that was done so swiftly, but if we could work with our County colleagues or State colleagues, this just seems like a good time to bring stuff. How can we proceed with that property on Beatties Ford Road and other nuisance properties that we keep getting the same complaints over? How can they lose their liquor license or we address that as swiftly as the Press Club incident was addressed? Is there anyone that can answer that?

**Mayor Lyles** said I know a little bit about ABC (Alcoholic Beverage Control), but I don't know enough to address this. Ms. Johnson, I don't see anyone able to answer that right away. We may have to come back and address your question.

Ms. Johnson said okay, let me clarify what Mr. Graham said. We've seen the stack of nuisance complaints over the property on Beatties Ford Road. If we could work with the County officials or State officials to look at their liquor license due to violent activity and find out how to compare that to the Press Club losing their liquor license over what seems like one public incident. So, if we can compare those two infractions and maybe be consistent or ask for consistency or explanation and maybe that can help us address some of the nuisance problems in our City.

**Patrick Baker, City Attorney** said Ms. Johnson, just as a general rule, the ABC has complete control over their properties that have ABC licenses. So, in those situations where they have a violation of their liquor license, ABC can move very directly. They don't have to come to the City. There doesn't have to be a coordinated issue. If they find that one of their ABC permittees has violated the terms of their permit, they can go directly toward an immediate suspension, which is why it looks so fast and why it was fast, quite frankly, because they could go right to the source. For some of the other issues that we have discussed in the past where there is a criminal activity that's occurring on certain properties, both the City and the District Attorney's Office has the ability to bring those nuisance abatement actions under Chapter 19 of the General Statutes. What you saw that happened on West Boulevard late last week and put in the paper today was a Federal Action. They have certain authorities under Federal Law.

I think it's the Controlled Substances Act that they pursued that particular premises to file that action against that particular premises.

So, some of the criminal matters take a little bit longer to develop. I know in State Law, the State Statute requires repeated offenses and breaches of the peace, but repeatedly not defined by statute. I will say this, that the NEST Team that Ms. Taillon was speaking of, that's the Nuisance Enforcement Strategy Team. That's it's a combination of folks in Housing. It's also folks in the Police Department, and we have a couple of attorneys that are assigned to that group as well. They meet on a monthly basis to review all the properties, to bring new properties to the attention of the group, and are monitoring those, and I'm trying to get reports out to you all on a monthly basis about where we are with

certain properties, particularly properties of interest. So, at any point in time, if you have a property that you'd like some information on, it may and hopefully is already on the radar screen of NEST going forward, but if there's a particular property that you'd like for us to take a look at, we can bring that to the attention. There is coordination with all those entities, whether it's the Federal Government through the U.S. Attorney's Office or the state entities or the local entities, and that is that the City can bring an action or the District Attorney could bring the action. Recently I've had some conversations with the District Attorney about some potential Nuisance Abatement Actions for particular properties as a long-winded answer, but hopefully gives you some idea of the amount of coordination that's going on in Charlotte. Hopefully what you saw with the West Boulevard property will be the first of a series of properties where it's appropriate to take that level of action to abate these nuisances that have been such a problem for this community for so long.

Ms. Johnson said well, thank you. It was a long-winded answer for a long-winded question, but I just want to make sure because obviously, ABC can take very swift action. So, if the NEST Team is working with ABC and there are coordinated efforts to address these problems one way or another. Thank you.

**Councilmember Watlington** said, first of all, I did just want to also acknowledge that I'm very, very pleased to see the action that was taken last week. I know that the NEST team and the City Attorney's Office has been working in partnership, as you mentioned for a while. That was one of the things that the community lifted up early on in my term and had been working on for years and years before that. But I'm glad to see that that, as you said, may be the first of many where it's appropriate. My question is in regards to what Councilmember Johnson just said, in speaking with ALE last year, one of the things that they mentioned was that CMPD and the local neighborhood associations or local neighbors could submit to the ABC Commission in order to revoke a permit. So, I just wanted to make sure that that was lifted up, that there are things that the local law enforcement agency and the communities can do to initiate that action as well. Of course, there's some data that is required, but can you speak to that, please, Mr. Baker?

Mr. Baker said I am aware that citizens can bring complaints directly to the ABC Commission and they can be prosecuted as well, depending on the evidence that they bring to the table, but that's certainly something that should be put out to the public. Again, they'll know quicker than most where the problems are in the community and certainly bring those to our attention and to ABC, ALE is definitely important because you can as a citizen, go bring things to the commission as well.

Councilmember Graham said I won't be long. I think the City Attorney and Councilmember Watlington kind of communicated what I wanted to share with the Council. One, that the Nuisance Enforcement Strategy Team was clearly aware of a number of sites that we have identified throughout the City that they're looking closely at to make sure that that gets on their radar screen, that we need to encourage our neighborhood association leaders to call 911, call 311 when they know there is a problem. See something, say something, that helps in the long term in terms of getting these properties foreclosed on for lack of a better word.

Lastly, I think Councilmember Wallington is correct. These things take time, right. So, there are marathon issues when you're trying to literally take someone's property. I think the City Attorney said that early last year, that this is an 18, sometimes 24-month process. As I told them then, it starts with one step at a time, which is identifying the location, making the phone calls, and continuing to work with CMPD on criminal activity issues, as well as communicating with Code Enforcement in terms of making sure that the structure itself is not falling down. So, thank you.

Mayor Lyles said thank you. We look forward to the discussions, more on the ABC laws and rules, as well as the discussion around this topic of the residential code. I do think that this Council has talked about affordable housing and what it means in terms of the costing of affordable housing as we change the code, and having an impact statement around that, I think will be something that we need to look at because it is a big difference.

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## JOINT RESOLUTION ABOUT SOLIDARITY

**Mayor Lyles** said Councilmember Ajmera has a resolution that I think that she has spoken to publicly and has been presented by Mecklenburg County and the City of Charlotte and Councilmember Ajmera, I'd like to recognize you for the resolution on our issues around having public trust and being a diverse and inclusive City.

**Councilmember Ajmera** said yes, this is a joint resolution by the City of Charlotte and Mecklenburg County to stand in solidarity and recognize the fear and the pain that exists in Asian-American communities. This is very personal for me; recently, there was a 37-year-old Charlottean, an entrepreneurial part of our community raising two kids in our community was shot in the chest for just opening up his business early in the morning. Now today he's fighting for his life. He's in the hospital today. His wife is living in fear of getting stabbed or killed just for doing day-to-day activities and afraid to send their kids to school. So, this fear is real and that's why this resolution is so important. As I read this, I'm keeping many of these families in my thoughts who have been victims of hate crimes as I read this proclamation.

Thank you, Mayor, for including this on our agenda and Commissioner Dunlap for adding this to our agenda. Thanks to Commissioner Altman and the diverse Asian-American community leaders who have been working around the clock to address the fear, working with CMPD, and also getting this out in over 50 languages. Thanks to our Office of Equity and Immigration Integration, Federico and Emily, or getting this out in the community in various languages. I certainly appreciate your work there.

Last but not the least, our CMPD Chief has been very active in addressing other concerns that have come up in the past month or so.

Councilmember Ajmera read the following proclamation:

**WHEREAS**, the City of Charlotte and Mecklenburg County strongly condemn the mistreatment of and violence against the Asian American and Pacific Islander (AAPI) community, both locally and across our country; and

**WHEREAS**, between 2019 and 2020, according to The Center for the Study of Hate and Extremism at California State University, hate crimes against Asian Americans spiked 149% from 49 incidents to 122 incidents in 16 of America's largest cities even though hate crimes overall declined. The recent surge in the mistreatment of and violence against the Asian American and Pacific Islander community in our country should be a concern for all residents of the City of Charlotte and Mecklenburg County; and

**WHEREAS**, according to incidents reported to "Stop The AAPI Hate," a non-profit organization formed in 2020 in response to the rise in Asian related hate incidents, businesses are the primary site of discrimination (35.4%), followed by public streets (25.3%), online incidents (10.8%), and public parks (9.8%). Regardless of who you are, where you are, or what you believe, as human beings, we are all connected as one community; and

**WHEREAS**, Charlotte-Mecklenburg encompasses more than 1,000,000 people, with AAPI individuals accounting for more than 67,000 members of this community. Collectively, we condemn violence, hate and discrimination, and stand against harmful acts whenever they occur, because as a community, an attack on one is an attack on all; and

**WHEREAS**, in order to address hatred and violence against those who are vulnerable, we must be willing to find solutions to the betterment of our diverse community, to set aside exclusion, and recognize the efforts of those seeking equal rights for all. We will turn our pain and grief into action, our words into advocacy and acceptance, and our divisions into the community; and

**WHEREAS**, there is much more work to be done, and there is strength and power when a community works together and honors its mutuality, while renewing our resolve to continue the work toward fair treatment and an improved quality of life for all; and

**WHEREAS**, the City of Charlotte and Mecklenburg County believe in the worth of everyone regardless of color or creed, and strive to promote understanding, goodwill, respect and dignity for all; and

**WHEREAS**, the City of Charlotte and Mecklenburg County will continue to strive for the betterment of human relations by promoting awareness, understanding and communication; and

**WHEREAS**, the City of Charlotte and Mecklenburg County are committed to working for fair treatment, equity and justice for all

**NOW, THEREFORE, WE**, Vi Lyles, Mayor of Charlotte, and George Dunlap, Chairman of the Mecklenburg Board of County Commissioners, do hereby proclaim that the City of Charlotte and Mecklenburg County are committed to rooting out racism and xenophobia by building stronger relationships and partnering with community organizations, and we will work across our community to create a more equitable and inclusive Charlotte-Mecklenburg where violence and fear of the other are not a part of our ethics or our values, a Charlotte-Mecklenburg that is willing to see one another and, more importantly, stand in solidarity.

I recognized the leaders that are watching this, I know many of our community leaders are joining us: Senator Mujtaba Mohammed, Nimish Bhatt, Deepika Dave, Amy Nguyen, Ann Gonzales, Dr. Chen, John Liu Khamil Dhimal, Lal Vishin, Toni Sawhney, Michael Wang, Dr. Ki-Hyun Chun, and Rona Chen.

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## **POLICY**

### **ITEM NO. 9: CITY MANAGER'S REPORT**

**Marcus Jones, City Manager** said what you have in your inbox is a 30-day calendar of what we're projecting to be on the various agendas during the month of May. It's that time of year so, it's heavily populated with the budget. So, for instance, next Monday will be the budget presentation, followed by on the 10th, while there will be Committee report-outs from the Comprehensive 2040 Plan, there will also be a Budget Public Hearing, which is the norm. On the 19th after the Zoning Meeting on the 17th and 19th, there are City Council Budget Adjustments. There's room again, on the 24th and it doesn't necessarily mean that any of these business meetings have to begin at five o'clock. That could be earlier, much like tonight. On the 24th, there's another opportunity for a discussion around the 2040 Comprehensive Plan. Then lastly, on the 26th of May is the Council Straw Vote. So, again, it's heavily populated with a budget in the month of May, which is normal. In addition to that, there's a number of opportunities for the Council as a body to discuss the 2040 Plan. So, Mayor, that is the 30-day memo.

**Mayor Lyles** said so, you've heard the calendar. Are there any comments or questions of Mr. Jones about the calendar? I do have one, and this is what I have heard from the Councilmembers and the Committees on the Comp Plan is that we've never really had time dedicated specifically sufficient time, perhaps not, some people say not sufficient and some would say not long enough or whatever. So, whatever where we're using. Mr. Jones, I'd like to actually see us build in some two-hour periods around the time that most Councilmembers are in the office, that we specifically addressed only the Comprehensive Plan. That's in the idea that those further discussions of the Committee's overall recommendations would be discussed by the Council as a whole. So, everyone would have the opportunity to talk about that.

Then the next step would be that we actually have a meeting specifically to address the changes and amendments to the Comprehensive Plan, but that would occur likely in early June. But if we can add those two-hour sessions after the committee recommendations, that would, I think, be very helpful for everyone that we're focused on just that topic.

**Councilmember Bokhari** said after having now we've now gone through the three Committee meeting discussions and the prep leading to that and then three town halls for each of the scope topics and coming out of those the staff left with very detailed notes. As we saw, they're all so intertwined that we really discussed a lot of different things, even though the focus might have been on displacement or zoning or whatever it might be. So, I'm not positive unless we feel like we haven't added all of the scopes of the items that are still concerns to people. As long as that isn't the case, which I'm not sure it is, I feel like we really got that out. I don't know that it's overly productive for us to continue to debate and discuss and do things until the staff comes back to us and says, okay, we've heard you, and these are the things we changed and these are the things we didn't, just because at the end of the day, we've had some comprehensive, in-depth meetings and I think we'll just end up being repeating the same things at this point. We have clearly another phase of work to do where once we get those back, we're going to have to have, I think, exactly what you're saying, but I'm not sure that doing it ahead of that will really accomplish much other than us just rehashing the same debate we just had.

**Councilmember Watlington** said I was under the impression that we would get from the red line draft mid-May. Am I correct in that? So, then is the intent that what you just described, what happened after we got that in our hands?

Mr. Jones said I had an in-depth discussion with the Planning Team today, and this is the proposed steps forward, and it's a mixture of what has been discussed. So, there have been items discussed in the Committee meetings, but not necessarily recommendations coming out of the Committee meeting. So, there's really, I would say, three areas right now that we're working on as a team. One is what I just called technical adjustments, and those adjustments are much like in a budget book where we misspelled something or something that is in conflict with one page for another. Those things will be addressed. Then there are some items that from a public comment standpoint, there are individuals on opposite sides of an issue and we believe that's a Council discussion. So, to pick and choose from that, I think we would be tone-deaf from what we've been hearing from some of the Council. So, there are some things that are very specific that the Committees are asking the staff to come back with, but we still believe that there is work for the Council to discuss some of these issues, that the public input is somewhat divided.

Ms. Watlington said so, will we then receive the alternatives? Well, let me ask that question two ways. The first thing I want to understand is, what I'm hearing you say is the direction from Council is not clear as to how to change the Comp Plan in response to public comment.

Mr. Jones said no, no. There have been some Committees that have said, we want you to address this. We want the staff to come back and address this specific issue and give us your best thinking. But I think what we've got in somewhat of a holding pattern is this red line in the second draft. So, there's not going to be this new draft of 300 pages that we just throw on your desk one day there. There are some things that are specific to this Council that there needs to be discussions and debates and agreement prior to it going into any document.

Ms. Watlington said so, then what I would like to see and I don't know if we need a Council action specifically, but what I would like to see then is as a precursor as far as input into this meeting, that the Mayor has discussed that two-hour meeting, if we can just see the points, if you will, of contention and then what the opposite?

Mr. Jones said yes, absolutely.

Mayor Lyles said I think I referred to it as the straw budget proposals. You see, here is what this Committee said it could be. Here's what the community said it could be. Here's

what I say as a Councilmember, but it's all out there because right now we don't have that list and I don't know what supports or contradicts the other. So, we need to get that out. I think the Council needs to agree that that is the list and the staff shouldn't have to be worried about that next step of how they write something because we have to have agreement among ourselves first and foremost. So, I would anticipate kind of a straw vote to say are there six to seven, any majority of people to go with this, and the staff would not spend time on things that there is no support for. So, that would be the two hours before. I mean, you get that kind of opportunity, but I can imagine that that list will go up and we still have some more conversation about what's on the list. So, let's take this thing seriously and have as many opportunities as possible to come to some level of we understand what the words say and what they mean as a group. Then you debate whether or not it happens. So, it's really kind of like let's make sure everybody's talking the same list. I think that's the most important thing. I think it's going to take some time. I don't want it to be where we've got a closed session or we've got this or that. So, I've asked Mr. Jones to say, let's block this out. So, let's just make sure we have this so that we have it for May and for June and we'll do what we can. If it's a stopping point, we stop point, but it's our decision. I think that's the most important part of it or the Council's decision

**Councilmember Egleston** said I don't have too much now because it sounds like Mr. Jones is tracking with what I was thinking, which is, I agree with Mr. Bokhari, we don't need to spend a lot more time debating the current draft because we've kind of done that. I do think that it makes sense because we've seen with the first draft that if you put something out there and then find out it doesn't have six votes on Council, we create a big debate that could have potentially been avoided by taking the Council's temperature ahead of time. So, I think exactly what you and Mr. Jones are proposing, which is getting a sense of what changes would address the Council's concerns or what changes might not before they go in a draft. I do hope that when the next draft, if it's not the entire document being put out, whatever it is, that it needs to be very easily digestible and called out what the changes are, not only for the discussions that we're talking about, what our options are, changes are, but when the changes are made because if we're asking the public to go back through this again and weigh back in, they shouldn't have to search for those. So, I think we've all been clear about the fact that those need to be very clearly called out. I do think these will be productive if we are weighing the merits of potential changes that address the concerns that we've already discussed. So, I think we're all tracking in the same direction.

Mayor Lyles said I have to say that the idea of the straw votes was Julie's idea first and foremost, but I've been building on it ever since she talked to me about it. The second thing about this is that we should not be rewriting a 300-page document. I would like for us to begin to think about how do we incorporate the changes because what we are doing is providing guidance and we are not going to rewrite that. It ought to be after we've made a decision instead of tackling a 300-page document. I know that we could red line afterward and there's an opportunity there, but the public ought to be able to read a concise list of these are the amendments that the Council would like to see to the plan.

**Councilmember Driggs** said I agree with Mr. Bokhari that there is a danger that we all just repeat things that we've said before. I'd also like to point out this new draft is being prepared without a single Council vote having taken place, giving direction to the Planning Director on what our will is here. I have no idea what he's going to do with what he's heard, but we haven't as a group given him any instruction. He's heard this side of the argument, that person saying this, it's all over the place. So, I think the importance of the kind of meetings that are being proposed is that we start to identify as a group where we stand on some of this stuff and we can look at what comes back the next draft and see whether it lines up with where we want to go. But seriously, we haven't had one vote. He's rewriting this thing now, just like the first one was written. He has not had any guidance from Council on what changes need to go in there. I know that the Transportation Committee is waiting to hear back on 2.1, the single-family. He said he would get back to us with something, not sure what that is. Anyway, I think we should have these meetings as proposed by the Mayor. I hope we all go into them knowing that we've got some pretty clearly recognizable major issues and with the objective of identifying what the majority view is in our group on these points. We can look at the draft if necessary, subsequently,

or maybe even with these meetings inform this draft that we're expecting on the 15th. At the moment, I would be hard-pressed to say where we all stand on some of these critical questions. I don't know where the majority is right now. So, the meeting should help to identify that.

Mr. Jones said I just want to clarify that the Planning Staff is not rewriting the Comp Plan. There are some technical adjustments that are being made, but again, nothing is going to be rewritten without Council input, thus the meetings scheduled for May and June.

Mr. Driggs said that is what I'm saying, there has been no instructions from us, so they know what to change.

**Councilmember Ajmera** said I just want to go on the record saying that I agree with the approach that you outlined earlier, where we take where Council stands before any adjustments are made or changes are made to the draft.

**Councilmember Graham** said I hope that when it comes back, it's narrowly tailored, right? I don't think there should be this big rewrite. I think it's technical in nature is what we do to all our documents, that when we get together as a Council, hopefully, it narrowly tailored that we get some pre-read so that we won't be seeing it for the first time. I thought maybe a week before we meet or a couple of days so we can really understand what is before us so we can have a meaningful conversation versus trying to digest what's in front of us. Then there won't be 11-0 votes because we are going to see this thing differently. Even to some of our friends in the community who says they went to a meeting and made a comment and my comment was not reflective to redraft. Well, it may not, right, because it doesn't mean we didn't hear you. It just means that it didn't make it and that the Plan itself was aspirational, and there's other opportunities, once we adopt it, to amend it and change. So, I just hope that we just don't open the garage door wide open and let everybody walk through and come through and that we put an undue burden on the staff. I went back and this issue, although it's a really important issue 2040 Plan, it was a passing issue for me. I knew we had to vote on it, but I really got into it and not only did I read the executive summary, I painstakingly went through the whole report and obviously technical changes, but I'm not sure, but I know what I know and I know what I don't know. I know I'm not a planner. I have an understanding of how I want our community to grow. I have an understanding of what's happening on the West side in Victoria's District and Larkin's District, and Matt's, and I know that I'm not aging myself, but when I first got here on the Square was the Burger King, the Eckerd's Store, and the Pawnshop. So, the point I'm trying to make is the community is going to change. It's going to change. So, I think we need to talk to our constituents, our developer friends, and say, hey, we got to look at how we're living and where we'll be living differently 30 years from now, 20 years from now, and making those type of visionary aspirational determinations today, not knowing that we have all the answers today as well. That we answer the questions along the way. So, I just don't want the Council to get trapped into telling our neighborhood friends, our developer friends, that somehow this thing is going to be rewritten. I'm just not there yet other than dotting the I's, crossing the T's, technical changes, answering clarifying questions, and making sure I understand how we move forward once the Plan is adopted in terms of edits, corrections, changes, as all plans have. So, I'm just saying that Mr. Manager, just make sure when you bring something back and I know you had three Council Committee meetings, we had three different town halls, there's a lot of information all over the place. I think this Councilmember needs to be focused on I what you're asking me to do.

Mr. Bokhari said I agree with almost everything that everyone has said at this point. I think just to kind of put a cap on it here, I think what we need because I think you and your staff's decision today is the right one. You still need that bit of guidance from us. So, I think the way I'd say it is you structuring that next round of conversations for us. So, it's not free form is the most important part. So, let me articulate a couple of examples and I think this would probably help because it's trying to find the compromise amongst us. Is this a land-use document or should it be narrowed down more like Denver to a 38-page version of something and then you give some examples of what would go out? Like maybe more beyond land-use would be saying where CIP (Capital Investment Plan)



dollars go. Is that land use or not? So, you're not making a judgment. You're simply framing our debate points. Should we tactically be talking about tools like abolishing single-family zoning or should we be bringing it up a level and talking about requiring density while ensuring affordability? So, those are the things, the spectrum that I think we need before us, and that way you go back in with where you the straw votes are in each thing and you craft it from there. The only thing I'll emphasize, and I might just tweak slightly what I heard Councilmember Driggs say is we need you to be the one, I guess, to make sure that that is a perfectly down the middle set of strikes of how these options are defined. We're not here to find concessions and flexibility between us and a member of your staff. We're here to find a compromise as a body. So, we really need to make sure we're not debating back and forth on that front and that we're getting truly like here's one side of it, here's the other. This is what we've heard. Which one do you guys want as a Council?

**Councilmember Eiselt** said I appreciate everybody's comments, and it shows that we're definitely all in the weeds on this thing now, but what I would say is that when we get to that point and we have that two-hour meeting, and we do the straw votes, that everybody also is prepared to say; after we've seen those choices, what they cannot live with, because we've got to know whether or not we're going to move this thing forward and still have time to go back and forth on that. I just hope we don't get to the day of the vote and somebody says, oh, I can't vote against it because of that one bullet point. We've got to be able to be a little bit flexible but also know where each other is. I think that's really, really critical. If you know there's something that you're firmly against, and we kind of know that right now for most people, but not everybody, then share it with each other and let's work towards solutions to solving it right now and not waiting until the last minute, just voting against it because that's just not something you can live with. So, that's all.

**Councilmember Winston** said I agree with most of what has been said. To Mr. Bokhari's point about calling the balls and strikes down the middle, Mr. Manager, I think it is important to kind of go back and tell what Council's guidance actually has been, because even tonight, I just heard some, again, different kind of interpretations of facts. We did give the staff guidance. I think it's good to understand what that guidance was to start the Comp 2040 Plan process. For instance, there are other votes that have affected this. For instance, in the TAP (Transportation and Planning) Committee over time, I remember actually me and Mr. Driggs were on the same page that the engagement strategy and how it was reported back to Council wasn't sufficient. We told the staff to, for instance, go and change that and bring it back to us. I think those things from a matter-of-fact standpoint would be a very important part of the discussion. As Mr. Bokhari calls those balls and strikes down the middle as what is our actual guidance? How do we get there and if we want to change that guidance that was given before, totally within our prerogative, but let's deal with it from a matter-of-fact perspective, not how I best remember it perspective.

Mr. Jones said Emily Kunze never imagined when she would come back to the City, that she would be doing some clerk-like duties. So, this is the last two weeks. So, our goal of Council guidance discussions, minutes of the different meetings. So, I'm using the three liaisons to the Committee. So, there will be Tracy and Taiwo, and Shawn, that are taking all of the information they gathered from the Committee and one report to me, which I will talk with the Chairs and the entire Council way before we have the first meeting from the committees on the 10th. So, this has been extremely helpful for us. Our goal is to give you the information that you need to make the decision so that we can get this across the line.

Mayor Lyles said I know almost everyone has spoken, but I really believe that the Committee recommendations need to be stated in the same expectation that you've defined for any amendment that any individual wants to make, because there is merit to having that deeper dive in a Committee and for a Committee to come out and say this is where we are as a Committee. It doesn't mean everybody has to agree with it. But in this legislative work that we do, generally, we have relied upon people to be able to hear deeply the information, asses it, and come up with that. So, as the Committees are making their final recommendations, it can't just be well, we disagree with something. It has to be

we disagree with or support this and why or would like to see this change. It has to be that clear because we're trying to communicate to a large number of people and all of us need to make sure that we speak in the language that people understand. I took a class and in effective writing and it said now today, skimmers, which they call people that read emails all the time, they call them skimmers, they said you have to write it a fifth-grade level, ninth grade was the most. So, we need to start beginning to think about our community so that people can understand it at every level. Also, they had some other hints, but that's what I remember most, is that people need to have the ability to understand what we're talking about and take this jargon down a notch.

**Councilmember Phipps** said one of the things I found instructive in my discussions with the developers, is they made a point that they thought that this entire Plan, wasn't necessary to do a rewrite, but it was just some key points that they wanted to get across. So, hopefully, we can hone in on those and come to something that we all can live with.

Mayor Lyles said not only my hope, I'm praying for it. Okay, so thank you, everyone. That conversation was very helpful. I appreciate everybody's understanding that it's the schedule, but more importantly, what's behind the substance of a schedule that makes a difference in this. So, thank you.

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## **PUBLIC FORUM**

### **Problems with Employees Parking at CLT Airport**

**Marcus Jones, City Manager** said so, there was an issue with Airport parking that several members of the community signed up for. I believe there's a resolution and Brent would just like to share that with the Council tonight.

**Brent Cagle, Aviation Director** said good evening, everyone. And Ms. Gentry is also downstairs in CH-14. So, but briefly, I can tell you that Ms. Gentry and everyone at the Airport has been working with American Airlines on this issue. You may recall that there have been complaints over employee parking in the past. Those complaints had sort of died down and the reason for that was at the beginning of COVID, all of the employees were relocated from the employee parking lot into the daily decks. We did that for personal safety reasons related to COVID-19, not only for the employees but also for the Airport shuttle bus drivers. As the Airport has been watching the resumption of passenger traffic, it has become apparent that the daily decks need to be made available again in the near future to customers, to the flying public. So, there has been an announcement that the employees will go back to the employee parking lot, and that has triggered the same concerns that were coming forward. Ms. Gentry and everyone at the Airport has been working diligently with the airlines and all of the partners. So, over the weekend, actually, last week and over the weekend, American Airlines and the Airport have agreed that some amount of employees will be instead of when they go out of the daily lots and back into employee parking, they will be available to park in what we call express deck or business valet two parking deck. American Airlines will designate those employees to park in that lot, as well as the balance of the employees going back into the original employee parking lot. That will do two things, it will help alleviate the concerns from many of the employees who have been vocal about their dislike of the existing lot, the dislike of the existing lot has mainly been around compact's basis. So, that will allow certain employees to move over into the business valet two-deck. It will also free up additional spots, roughly 1,500 to 2,000 additional spots in the existing employee parking lot. I think I have that right, roughly 1,500 spots.

**Mayor Lyles** said I'm going to say it back to you. Brent, what you're saying is that the lot that had the concerns because of the compact, you're freeing up 1,500 or so spaces by having some employees park in the business valet deck, and that would take out the overcrowding or the banging of the doors against each other's cars, I guess that would be the biggest concern in the existing lot. So, there are two lots with capacity now. Is that what you're saying?

Mr. Cagle said yes, ma'am.

Mayor Lyles said and that's effective?

Mr. Cagle said the employees will be relocated out of the daily deck next month, May 12th, I believe. At that point, both parking options are available and American Airlines will be assigning their employees to one or the other lot.

Mayor Lyles said okay before we do that, can I go to the speakers so that we can hear from them first and then there might be other questions generated by that. I was just trying to make sure that the solution was stated in a way that the speakers would be able to comment.

**Trevor Taylor, 1420 Abbey Place** said we had received a bit of an inkling earlier this afternoon that this was coming. I didn't realize Mr. Cagle was going to be speaking. So, I do have a question for him. Is that possible?

Mayor Lyles said of course. Yes, sir.

Mr. Taylor said Mr. Cagle, is this a "permanent solution, or semi-permanent solution", or is this going to be something that will change in July with us using the former business valet deck?

Mr. Cagle said so, with Airport growth, it's hard to call anything permanent. The Airport changes just as fast as our City, but yes, it is permanent. The Airport and the airlines and all of the tenants will continue to look at how the parking program evolves and changes over the years. But yes, this is a permanent change.

Mr. Taylor said although that does not address the underlying issue that's gotten us to this point that was put on hold during COVID, which is there's far too many spaces for the parking lot and the size of automobiles that are being parked in the existing lot. I mean, so something at some point probably needs to be done to address that problem. Do you not agree?

Mayor Lyles said I don't think that's a question for us.

Mr. Taylor said okay, well, I mean, that was it was a question for him.

Mayor Lyles said well, you can ask questions, we don't have to answer them. The answers will come back in the follow-up report. So, if we can address that, it'll be in a follow-up report to the Council that you will get.

Mr. Taylor said okay, yeah, well I'm a little bit I mean taken aback, kind of caught off guard. I don't like being caught off guard. I don't think anybody does. So, I didn't know that he was going to be addressing everybody before us. But I do have some testimonials. I understand my pictures, which we probably have 30 some odd pictures of cars from the lot. I had sent six or seven, along with long queues, to [inaudible] employee bus over to the host who said that they're going to be sent to you all as PDFs later.

Mayor Lyles said and they were. So, thank you, Mr. Taylor, for your comments tonight.

**Laura White, 10600 Knox Farm Road** said thank you all for your time. Council, I know it's been an incredibly challenging year and I appreciate it as a constituent, all that you do for the City and for the citizens. Lot two is a disaster. It doesn't follow code. Mr. [inaudible], I think as a speaker after me, who will clearly demonstrate hundreds of hours of research why it's not only unacceptable but completely unsafe. People are climbing in and out of their sunroofs and trunk. You have egress out as the lines are drawn together and you cannot physically open a door without destroying the car next to you. I took the liberty of doing some research on emergency vehicles. Our truck is eight feet wide by 35 to 40 feet long in the way that the spaces are bumper to bumper and some of the areas in lot two would not provide safe egress should there be a medical or fire emergency in lot two. Fire

mmm

Trucks are going to get there, but it's going to destroy cars. As I've been told with my own vehicle being damaged in lot two, the Airport [inaudible] by any vehicle or act of God.

So, with that said, it could be a dangerous [inaudible] break for [inaudible] disaster that's not to code and the rest of the employees to come to work daily have to deal with damage to their vehicles, [inaudible] daily. The buses were supposed to have [inaudible]. Sometimes we continue to wait 30 to 40 minutes all over each other. My biggest concern to the other one at one point [inaudible] ways to egress early and the other road. Two exits out of the whole big lot and sometimes it would take 20 to 30 minutes to get out. So, there's a crisis at the Airport. [inaudible] where we all have to evacuate quickly, and that happens sometimes. [inaudible] appropriate levels of exit and entry and egress.

**Jeffrey Reisberg, 11705 Abernathy Road** said so, this issue has been going on for two years, and we're only coming to you because we have exhausted all of our options with the Airport. We try to talk to them and they give us every excuse under the book. They say that hardly anybody is complaining. They're saying to everybody that we're working on a fix and just wait. Finally, they came up with a solution, which was to add signage and enforce the parking rules more. So, it was nothing we asked for. It's so incredibly frustrating. I got back from a trip and I find, first of all, I got to wait for three buses to pass and then I finally get to my car after 30 minutes of waiting and I find there's a big gash in the door and it cost \$1800 to fix that. Two months of my savings basically. That's time I can spend with my family because of this parking situation and I didn't hear Brent say that he's going to fix lot two. They will say every excuse under the book. Oh, we can't do it because of this or that. He will not say I will fix this driving lot, two. There's no reason why 40% of the spaces there need to be at the minimum for compact, not even asking for normal spaces. We just want the minimum compact spaces to change.

Eventually, traffic at the Airport is going to grow and when it grows, there's going to be people parking in those spaces again. Even with the changes that he just said. So, if you want to get in front of that, the workers need to be included in the planning process and we are not. So, that's why we're in this mess in the first place, why it's taking two years to fix it and we insist on being included.

### **Concerns in Charlotte**

**Grant Withers, 2520 South Boulevard** said I just wanted to bring in a couple of issues here that are separate from the Airport issue that we've been hearing about to the Council's attention. We have a whole lot of I'm sure you're all aware, the engine revving and the loud music at all hours of the night here.

Mayor Lyles said yes, we are.

Mr. Withers said especially up and down here on South Boulevard, I at least know because that's where I live. I was going to just propose a couple of things here that might help both in data collection and also hopefully in enforcement. We have a whole lot of this going on at the current time. It seems like the resources that it would take to enforce the laws that are already on the books, on the people who are going up and down the strip here would probably pay for the police presence or security presence or whoever it is that would enforce those codes. Just in terms of fees, if there are a couple of hundred dollars on a dollar or \$200 for every violation, I would think that they could probably make back their money and probably a little money on the side for the City. Maybe be able to get some signage up through this corridor right here, at least on South Boulevard as it is a pretty busy strip during those hours.

We also have a new strip club opening up and we have a lot of other patrons that get out of there around 1:00 or 2:00 and then they have their engine and go up and down the road and what have you after they leave that facility. We have several different issues that are tied in with the overall policing policies of the City, especially in terms of reporting these incidences. If they happen, five incidents is right within five minutes of each other or even one minute of each other or even concurrently, they will not take down all of those reports at what at the same time of one emergency call. I was going to propose that those

be permitted to be all made from time, like, okay, they're five vehicles going down the road right now making this noise. So, it should be able to be put in the police system as five different incidences. Currently, it would only be one at a time. I would have to hang up and then recall again and then do that five different times. Before that, I call about later, would not be taken down in a police report. So, I was going to propose that the policy be looked at there in terms of the recording of incidences that are being reported, be changed to where they can report multiple incidences of violations all at one time, or if you call on the tenth violation, you can report that ten violations just now happened. Can you put all ten in the system? I would appreciate it over the last hour or two. They can't do that currently, so I would appreciate it if they can be permitted to put all ten violations in the system as being reported.

Mayor Lyles said we know that 911 is an issue and Mr. Jones is taking a look at that with our Chief. So, that's something that we will look at and you'll be hearing more about that soon.

### **Working Conditions at CLT Airport**

**William Voltz, 4033 Seaforth Drive** said I'd like to thank the City Council for letting me speak tonight and also to thank them for their support of our [inaudible]. We [inaudible] work at the corporation [inaudible]. I'm here to talk to you about the workers at the Airport being able to get a minimum wage of \$15. We thank the City for [inaudible] and we also we're very proud to represent the City of Charlotte to the people who fly into the Charlotte Airport. With that being said, the issue [inaudible] of being able to afford to house here in Charlotte and not having to do it with three jobs to make ends meet. So, we were asking the City Council to help support us with H.M.S. Host in getting a minimum wage of \$15 an hour. We look forward to your support and as this affects other issues like affordable housing and health care and other necessities of life and we would just like to thank you.

Mayor Lyles said thank you very much, Mr. Voltz. We understand the difficulty of living in a city when you don't make a working wage that allows you to live here. We do understand it.

### **City Workers Pay**

**Craig Brown, 7532 Double Springs Court** said I'm coming to you all on behalf of the City workers. I know that we've been decimated by the COVID Virus and you all called and we answered the bell. I'm coming before you on the budget proposal of what we Sent to you all. I'm coming to you all, that you all consider us in that budget and we are not asking for much. We ask that we be compensated for a structured pay plan, like Fire and Police. We ask for fair health care across the board. We ask that you consider fair housing. No City worker should have to live in poverty. No City workers shouldn't have to rob Peter to pay Paul. When asked, we are there for you all, we have been there for Charlotte Water. We were decimated with the COVID Virus, but after every bell, and call, just the other day I was talking to a Police Sergeant from the South Tryon District. He shook my hand and congratulated me on being a good steward to provide water for him and his family. Water the key to an essential part of this City. We come before you all, as good stewards and wise counsel to consider giving us what we ask. You do not have, for you do not ask. We asking you all to take a look at what we are asking of you all and consider it.

Mayor Lyles said thank you very much. We've got your request and the Manager's Budget is coming up, so pay attention to that and that discussion that's being held. Thank you so much, Mr. Brown.

### **City Employee's Healthcare, Increase in Overtime, and Family Supporting Wages**

**Dominic Harris, 9015 Pinnacle Cross Drive** said North Carolina Public Service Workers Union and Charlotte City Workers Chapter, UE 150, Charlotte City workers submitted a budget proposal in, what was it, late January or early February and submitted it to all members of City Council, hoping for you all to sit down and talk with us and maybe

hammer out some details of what we are asking for. We might ask for a little too much, maybe not enough, but we don't know the budget as intricately as you and the City Manager do. We would like to have family-supporting wages so, that anybody that is working in the City of Charlotte, anybody that commits themselves to working in the City of Charlotte can afford to buy a house here, live here, and live in the City that they work in. So, we ask for a structured step pay program similar to what the Police and Fire have. So, anybody coming into the City of Charlotte can look down the line 10, 15, 20 years, 30 years and know that they'll be able to afford to live here.

We also know that a \$2,080 wage increase that was passed in, what was it, the 2020 budget? That was a great boost in pay for City employees and now we are asking for that similar type of pay could be based on merit. If an employee does outstanding in his job, they can get up to a \$3,000 salary rate increase if he performs his job at the highest measures. Right now, if you perform your job outstandingly, if you are the best person that ever did your job you're still looking at the same pay increase as somebody that doesn't, somebody that performs mediocre, or somebody that is just average. You need to reward people for doing their jobs and knowing how to do the job because someone knows how to do their job, saves the City money. It saves the City time and allows for better training of individuals that's coming in behind them.

We also need a continuation of the hazard pay. The hazard pay was discontinued because we didn't get enough money from the CARES ACT (Coronavirus Aid, Relief, and Economic Security). So, it was discontinued on January 1st or 2nd, something around there. So, we would like for that to continue seeing that the City got \$149 million from the Federal Government. That might be broken up into two separate payments of I think \$75 million this year and \$75 million next year. I'm not sure of all of the details, but we know that there's now money there to continue the hazard pay and pay us back pay. We ask that the City pass a resolution in support of Medicare for all because we believe that that is one way that we achieve racial justice in the City of Charlotte. As we know racial justice is a hot-button issue in America right now. We know disparities between blacks, whites, Asians, Hispanics, all people, all races, creeds, and color. We know that universal health care if we achieve that, we achieve equality in a system that is unjust as it is now. We also asked for an increase over time, standby pay and holiday pay, and a universal sick policy.

Mayor Lyles said it is always good to hear from you. Watch again. Well, you probably watch the budget more closely than some of us, so thank you.

### **Problems with Employee's Parking at CLT Airport**

**Scott Hazelwood, 1516 Grovewood Drive** said I want to thank you for the opportunity tonight. In preparing for tonight's presentation we did start a petition to present to you. In just two weeks, we managed to get about 1,000 signatures on our petition. I personally walked around the Airport and I talked to people from just about every employee, pilots, flight attendants, agents, mechanics, food service employees, store employees. I talked to a really good representative amount of Airport employees. The one thing I saw was that everyone was going to sign our petition, as everyone knows all too well, what the problems are in the employee lot at the Airport. Now we've sent you some pictures. We sent you some stories and we're asking tonight to try and get you to support to ensure that the Airport meets the minimum parking standards laid out by the City. No one who works in Charlotte should be forced to risk personal injury and damage to personal property because an employer squeezes them into a parking area just to maximize profit.

The Airport needs to treat the employees out there with decency, whether you're going to open another lot or not, the Airport needs to provide realistic sizes for the parking spaces. They need to reduce the amount of contract parking. So, Mr. Cagle and more importantly, Mr. Christine, repaint those lines. The Airport needs to provide adequate buses and a schedule to accommodate the shift changes at the Airport and the crowded times during peak times and flights.

COVID is not over. All the employees are asking for is, don't crowd us into buses or make us wait long amounts of time to wait for a bus that we can actually get into. We're asking, is the airport work with us. The workers out there should have representation with the Airport to find real solutions for these types of problems. What they've done in the past and it sounds like what they're trying to do again is just mask their problems. What they've done in the past is they put signs up and they throw mulch over mud pits. Use real concrete. They should also provide the employees [inaudible].

Mayor Lyles said Mr. Hazelwood we've lost your audio. Earlier during the meeting, Mr. Cagle addressed a solution that's going to be placed into effect around parking. If you would contact Ms. Gentry tomorrow, I'm sure you'll have more of that information available to you. Thank you so much for being with us this evening.

### **Improving Living Conditions in Charlotte**

**Ananya Vallamsetla, 1583 Duckhorn Street** said I'm here as an ambassador for the [inaudible] Project. We're a national organization that works to make global poverty a focus of U.S. foreign policy. We focus on global food security, access to clean water and sanitation, and mother and child survival and food aid reform. After seeing Tent City and the effects that poverty has in our communities, I believe it's imperative that we come together to address the issue immediately. Bringing individuals out of poverty results in an increase in consumers, a decrease in crime rates, and a cleaner environment. The United States currently allocates \$612 billion to the National Defense Budget. Less than a third of that budget can be used to fully eradicate poverty across the world. At the [inaudible] project, we focus on lobbying Congress in support of changing legislation. It takes less than 30 seconds to just go to the [inaudible] project.org and email Senator Richard Burr and Thom Tillis to show your support in global [inaudible] legislation. Thank you.

**Councilmember Newton** said I have questions for Brent Cagle. I thought we'd have the opportunity to ask those questions. He gave a presentation.

Mayor Lyles said is your question regarding one of the speakers?

Mr. Newton said specifically regarding the proposal for the parking lots. It's a presentation that was wedged into the public forum. I don't know how fair it really was to speakers who weren't involved in the process to come to this announcement that was given during the presentation. That seems a little bit separate from the public forum proper. I thought we'd have an opportunity once the public forum was completed to ask questions. I don't think I was the only one. So, I saw other hands raised within the room there, in 260 where everyone is. So, I imagine I'm not the only one with questions, but it was my understanding that we have that opportunity to ask those questions of Brent Cagle.

Mayor Lyles said yes, Ms. Gentry is available, but I'm not sure what the question was.

Mr. Newton said so, the chance. They'll be fantastic. I'll jump right into it.

Mayor Lyles said well, now, Mr. Newton, this is one of those colleague things that we have. We usually have the speakers and they just make their points and then we have a follow-up.

Mr. Newton said [inaudible] normal format for a public forum by having a presentation by the staff. So, I think it's only fair and prudent that you would have the opportunity to ask them questions to get a better understanding of exactly what was presented to us. So, this was something that I think it's taken us all by surprise, including speakers.

Mayor Lyles said this is something where no good deed goes unpunished. We thought that we were being helpful by letting them know that there was a solution that was going to be discussed or announced on Monday. So, it was actually our intention to provide more information than was available. So, maybe we just should not have done that

because they would have found out about what American was doing on Monday. So, I'm going to see. Mr. Cagle's going to come in, Mr. Newton, is there a question?

Mr. Newton said yeah, yeah, yeah, I do have questions. For the sake of time, I'll make it quick. I had some questions pertaining to the solution. So, Brent, if you're at the podium, fantastic. I know we're being told here that the lot and the deck is going to be open for employees or at least for a certain number of employees. I think that that's a great step in the right direction, but from the standpoint of the employee lot, where all of the other employees will be parking, are the size of those parking space is going to change?

Mr. Cagle said no, sir.

Mr. Newton said okay, so there'll be the same size. Now, will there be limitations on the capacity or how many people can park in that lot? Is that going to change?

Mr. Cagle said no, sir, the lot is not at capacity.

Mr. Newton said so, it sounds like you're going to be maintaining the compactness of these spaces. Are there would be limitations to the spacing of cars or can they still just literally bunch up beside one another?

Mr. Cagle said so, a little bit about the lot. It was stated tonight that about 40% of the spaces are compact. That is not correct. Approximately 25% of the spaces are designated compact and they are designated that way. The configuration or the size of the spaces in the lot will not change. We do rely on employees to park their cars within the boundaries of the spaces and we rely on employees who do not drive compact vehicles to not park in a compact space. A lot of the issues that occur are from oversized vehicles parking in a compact space, or for lack of a better term, bad parking. Someone who parks on the line takes up more than one space.

Mayor Lyles said okay, I think, Mr. Newton can you have an offline conversation with Mr. Cagle as a follow-up?

Mr. Newton said being that I know you're calling a solution, but I guess for me it doesn't quite sound like a real solution if the parking spaces are going to remain the same size. I think that there's still work to be done, particularly work where you incorporate the employees, because in my estimation, it seems like everyone was taken by surprise by tonight's announcement and that employees were not incorporated in the conversations regarding this quote-unquote solution. I'll leave it at that. Thank you, Madam Mayor.

Mayor Lyles said I'm sure there can be a follow-up as necessary.

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## **PUBLIC HEARING**

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### **ITEM NO. 7: PUBLIC HEARING FOR ARRIVAL AUTOMOTIVE USA INC. BUSINESS INVESTMENT GRANT**

**Mayor Lyles** declared the hearing open.

There being no speakers, either for or against, a motion was made by Councilmember Egleston, seconded by Councilmember Eiselt, and carried unanimously to close the public hearing regarding approval of a City of Charlotte Business Investment Grant to Arrival Automotive USA INC.

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**ITEM NO. 8: PUBLIC HEARING ON A RESOLUTION TO CLOSE THE UNOPENED RIGHT-OF-WAY OFF MECKLENBURG AVENUE AND MATHESON AVENUE**

**Mayor Lyles** declared the hearing open.

There being no speakers, either for or against, a motion was made by Councilmember Egleston, seconded by Councilmember Driggs, and carried unanimously to close the public hearing on the matter of closing the unopened right-of-way off Mecklenburg Avenue and Matheson Avenue.

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**POLICY (continued)**

**ITEM NO. 10: FISCAL YEAR 2022 ANNUAL ACTION PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT**

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, and carried unanimously to adopt the Fiscal Year 2022 Annual Action Plan for Housing and Community Development.

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**BUSINESS**

**ITEM NO. 11: APPROPRIATE ADDITIONAL CORONAVIRUS RELIEF FUNDS**

**Mayor Lyles** said I wanted to ask the Manager to address this item because there have been some questions about this and the precedent that we have for it.

**Marcus Jones, City Manager** said this is exactly the way that we handled the first of, I guess, a batch of payments that came from the CARES Act. So, much like the previous CARES Act funding, nothing would occur from me without the Council's approval, much like we did for the first \$154 million. So, this is similar to the way we handled the \$154 million related to the CARES funding.

**Councilmember Ajmera** said Mr. Jones your response does address my concern so I am good. Thank you.

**Councilmember Watlington** said I was just going to suggest that we just update the language to reflect what he said because I hear what you're saying, Mr. Manager, and certainly makes sense. I just don't see that it matches what is written here. So, I was just going to propose that add subject to Council approval or whatever necessary language needs to be added just to reflect what you just described.

Mayor Lyles said is the motion maker accepting of the subject to Council approval? I think anything over \$500,000 dollars requires the Council's approval by our law.

**Councilmember Bokhari** said it's over \$500,000 and it wasn't in the budget that we adopted last year, you would have to bring it to us anyway. So, we are good? We are good as is.

**Councilmember Driggs** said I just wanted to clarify, in response to a media inquiry I got. This action only authorizes you to accept the funds. This does not in any way predispose how we spend the money, right? I think the word appropriate has created confusion in some people's minds that that's like a budget appropriation. So, all we're doing here is accepting these funds. Frankly, it be kind of crazy to vote against this. So, I hope we can wrap it up quickly. Thank you.

**Councilmember Phipps** said to date, have we made any investment in Water, Sewer, or broadband infrastructure using these COVID relief funds?

Mayor Lyles said you mean the American Rescue Funds or the COVID Relief Funds? The ones that we got last year, we haven't done anything with it of the new money. That's what this is an appropriation for, but we haven't done anything. So, Mr. Jones, what did we do?

Mr. Jones said to Councilmember Phipps question, I think I'm right with this. I believe we had \$1.5 million from the CARES Funds that we use for broadband in 14 of our different affordable housing complexes, neighborhoods, what have you, and then we had a \$1 million that we used for the hot spots for the CMS youth. So, combine about \$2.5 million and I think Shawn Heath is not too far away if I'm wrong, but I think that's correct.

Mr. Phipps said so, nothing in Sewer or Water?

Mr. Jones said so, what we did do with the CARES Funds is enable individuals to make payments as it relates to Water, but not anything that we use those dollars for our infrastructure, for Water and Sewer.

**Councilmember Johnson** said I just wanted to clarify on our agenda it lists the background information that we established the Task Force to help us decide and hear from the community on what the priority should be. I think we all can be very proud of the work that we did in the spending of the initial CARES dollars. Is there a plan to reconvene this Task Force to get input from the community on this batch of spending?

Mr. Jones said I'll start off Mayor And Council and Councilmember Johnson. What we will do as the team and staff is almost to the point that Mr. Phipps made, is look at those different programs or those expenditures that yielded good results on the first round. It's clear in this Council concept, like the digital divide are important, bridging the digital divide and come back with some recommendations for you. In terms of establishing a Task Force or Commissions and things of that nature, that would be up to the Council.

Mayor Lyles said so, Ms. Johnson I was thinking that we would wait until we know what the rules are. We are appropriating money that they have not actually signed off in D.C. for what they are allowing us to use it for. So, if we could wait and see what's permissible, then I think we'd be in a better position to decide a process to use it because right now we could choose something that they may not give us permission to do. I think we should wait until we get the rules. I don't know when they're going to have them, but they're definitely not available yet. This is also in two portions and it has some restrictions about planning for the future. So, maybe not as much emergency money, but I don't know exactly what they're going to suggest. So, until we get that, I think we should just wait and decide if that's the Council's wish so that we know what we're doing. Ms. Johnson is that sufficient?

Ms. Johnson said I just thought that it was executed so wonderfully the last we really involved in the community and we met the needs of the community. So, if it's not broken, don't fix it. But I understand what you're saying. We'll wait and plan this out later. Thank you.

Motion was made by Councilmember Egleston, seconded by Councilmember Eiselt, and carried unanimously to (A) Adopt Budget Ordinance No. 56-X appropriating \$74,470,000 from the Coronavirus Local Fiscal Recovery Fund provided by the American Rescue Plan Act of 2021 in the General COVID-19 Assistance Fund, and (B) Authorize the City Manager to negotiate and execute any necessary contracts and agreements related to the Coronavirus Local Fiscal Recovery Fund.

The ordinance is recorded in full in Ordinance Book 63, at Page(s) 658.

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**ITEM NO. 12: AFFORDABLE HOUSING DEVELOPMENT SUPPORT REQUESTS**

Motion was made by Councilmember Driggs and seconded by Councilmember Winston, to approve \$25,815,000 in Housing Trust Fund allocations for the following multi-family rental affordable housing developments contingent upon their receiving a Low-Income Housing Tax Credit award from the North Carolina Housing Finance Agency: Evoke Living at Eastland, \$1,600,000 (9% LIHTC), in Council District 5, First Ward Place Phase I, \$2,000,000 (9% LIHTC), in Council District 1, Fordham Place, \$1,645,000 (9% LIHTC), in Council District 3, Galloway Crossing, \$1,560,000 (9% LIHTC), in Council District 5, Guardian Angel Villa II, \$1,700,000 (9% LIHTC), in Council District 3, Marvin Road Apartments, \$1,700,000 (9% LIHTC), in Council District 3, Ovata at Reedy Creek, \$480,000 (9% LIHTC), in Council District 4, Evoke Living at Morris Field, \$3,000,000 (4% LIHTC), in Council District 3, Fairhaven Glen, \$2,000,000 (4% LIHTC), in Council District 3, Grounds for Change, \$2,000,000 (4% LIHTC), in Council District 1, Sugar Creek Apartments, \$3,000,000 (4% LIHTC), in Council District 4, The Baron Senior, \$2,000,000 (4% LIHTC), in Council District 3, Easter's Home Supportive Housing, \$630,000 (Non-LIHTC), in Council District 1, and The River District, \$2,500,000 (Non-LIHTC), in Council District 3.

Substitute motion was made by Councilmember Watlington and seconded by Councilmember Bokhari, to approve the Housing Trust Fund requests, except for Fordham Place and Fairhaven Glen and have a separate vote.

**Councilmember Bokhari** said so, right now we're voting on all the things other than those two, and then we're going to come back around for another motion and another conversation.

**Mayor Lyles** said yes, Ms. Watlington just said that Mr. Bokhari.

Mr. Bokhari said I was just making sure.

**Councilmember Phipps** said the two that we're voting on in separate votes, are there any impact on the 30% threshold in any of those two that we're considering on a separate vote?

**Pam Wideman, Director of Housing & Neighborhood Services** said both of those two would be voting on separately if you chose to go that route. They meet your criteria of having 20% of the units at 30% and below the area median income.

Mr. Phipps said both of them?

Ms. Wideman said yes sir they do.

Mr. Phipps said thank you.

**Councilmember Johnson** said I just wondered for the record if Ms. Wideman could clarify the list on our agenda is different than the hard copy that we received. So, I just want to record those clarifications that we talked about Ms. Wideman.

Ms. Wideman said thank you. Ms. Johnson. I think what you're referring to is Shorthorn Flat, which was a development that was on your map. So, not on this current list that you have. That one was withdrawn for rezoning issues. So, it was withdrawn from the rezoning process and it was withdrawn from the North Carolina Housing Finance Agency. Ovata is on your list and is still seeking a 9% tax credit.

Mayor Lyles said so, the list that you have in your agenda is the appropriate list for the motions that we will be taking tonight.

Ms. Wideman said yes, ma'am.

mmm

**Councilmember Graham** said I'm going to vote to support my colleague's motion that we separate them, but I just want to kind of give a precursor to supporting her motion and then encourage the Council to pass that and then pass the other two as well. I think the package that we have in front of us is really good work on a lot of people that have gotten us to this point. The Housing Trust dollars we are good stewards of. The community supported us last November by replenishing those funds, by approving the \$50 million Bond Referendum. This \$25 million reflects 14 projects throughout the City, with the exception of two Districts, six and seven. It makes available 1,422 affordable housing units if they were all accepted. As a total package 326 or 23% are 30% of AMI (Area Median Income), which is a focus group. I think that we ought to be focusing on. Certainly, I think a number of Councilmembers believe the same. So, I look forward to supporting all of them and I encourage my colleagues to do the same. I spoke with Ms. Wallington earlier today and I understand exactly what she is saying as a District Representative. I view this for myself and as your Chairman of The Housing Committee, looking at how this impacts the City with a broad stroke in brush versus a narrowly tailored one.

I suggest that by alleviating two, I don't think we want to create that precedent of picking and choosing among the items that's before us. I just don't think we ought to do that. I clearly understand the frustrations of residents in my District, who are here all the time, not anymore. Certainly, that's not the case that Ms. Wallington outlined in her email to us. I think she gave a rationale for why she wanted to do that. I simply look at it with a broader brush of why we should. I think we ought to though, and we talked about this around the edges, Councilmember Johnson at the Task Force that you referred to last year about taking a look at the criteria for Housing Trust dollars as we move forward in terms of how those dollars are to be allocated, whether or not we ought to be looking at land purchasing as a part of that, especially in areas of the community, that for whatever reason, cost of land, etc., doesn't get their fair share of affordable housing.

I think affordable housing needs to be where the jobs are. Certainly, in six and seven, there are a lot of job growth over there that many members of our community can take advantage of if they live closer to the jobs. So, I'm hopeful that Mr. Manager and, Madam Mayor, that you would kind of give the Great Neighbors Committee the charge of taking a look at the Housing Trust's dollars as we move forward, kind of kick the wheels, change the tires, kind of tune it up where we think it needs to make adjustments along the way. I think it's time-based on the write-up that we had in our booklet in terms of looking at some of the criteria so we can make sure there's more effective, more efficient, more targeted. If we aren't proactive about seeking other solutions as a Council in other areas of the City, it just will not happen. So, I'm just I won't support the motion on the floor and then I'm going to respectfully asks all the Councilmembers to support the balance of the two. Thank you.

**Councilmember Watlington** said just real briefly, I agree with much of what Councilmember Graham said. As he mentioned, we discussed this before and I also spoke with several of my colleagues. I think that overall the conversation is around how do we take the next step on the great work that's already been done with Ms. Wideman and the Housing Neighborhood Services staff to think about how we deliver our aims across the community using our HCF. So, I am a vehement supporter of the idea of using our Housing Trust Fund dollars for land acquisition and for homeownership, whether that is single-family or multifamily. So, I'm excited about getting to do that work going forward. I just wanted to add that this motion, the rationale for this motion is that, as Councilmember Graham mentioned, that there is a disproportionate amount of housing projects proposed for District three, some of which are supported by the community and others that are not fundamentally residents and Corridors Of Opportunity in District three and hot hotspot area support affordable housing in so much as it contributes to overall neighborhood stability, residents, economic health and education goals, restorative justice aims and overall quality of life.

I appreciate the broader approach. Certainly, however, I believe that equity requires that we consider the impacts at the margins and we should be considering how each project affects the fabric of our neighborhood. So, to that end, the West Boulevard Corridor Playbook, the Steel Creek Area Plan, and the statements of neighborhood coalitions like

SWANE, Greater Enderly Park Neighborhood Association, and the Northwest Community Alliance indicate a desire for true mixed-use, mixed-income, and mixed product meaning for sale and for rent offerings to support sustainable growth and much-needed amenities. So, that is why I've proposed this particular motion and why I am hopeful that we will look separately at the other two. Thank you.

**Councilmember Ajmera** so, I had a call with Councilmember Watlington earlier today about her separate motion. So, I support the motion for all affordable housing approval that's in front of us. However, I do recognize Ms. Watlington's points around concentrating affordable housing in a few parts of our City. I know we have had this discussion many, many times, but again, it comes down to Council deciding what direction we want to move forward in. We want to continue to do business as usual or do we want to take up a new direction where we are intentional about affordable housing development in Districts six and seven, where it's going to require a lot more Housing Trust dollars than Mr. Graham also alluded to earlier. So, I would like to make a motion to refer to a policy where the Housing And Neighborhood Committee provides a recommendation on to how do we diversify affordable housing rendering.

Mayor Lyles said we already have a substitute motion on this action. However, I want to restate that we have revisited our Housing Framework Policy each time the voters have passed a Bond Referendum because we do see change coming. My expectation is that we continuously review that policy because the needs of this community, based on the Comprehensive Plan, based on the other efforts that we've got, one of the delays that we've had are those donations of land that we have because we haven't been able to do what we said that we would do to the community with the last policy adoption. So, I don't think that we need a motion to continuously review the Housing Policy. I just wanted to say we already have a substitute motion. We'd have to start all over again after we get through this first series of motions. So, if that's okay.

Ms. Ajmera said if this discussion doesn't need to be deferred in a formal motion, I'm okay with it. I just want to make sure I go on record saying that I do support the requests that have come in for all affordable housing because it meets our criteria, especially as Ms. Wideman had earlier talked about how the majority of these requests have 20% or more affordable housing at 30% AMI or below, and that was one of our goals. So, all the affordable housing requests that are in front of us today meet their criteria, so, I'm going to support it. But I think we've got to have a discussion on land banking as well as how do we diversify. So, I look forward to having the committee's recommendation on that.

Mayor Lyles said you are now on the record. Ms. Ajmera. Thank you very much.

**Councilmember Newton** said actually, I support the District three Rep here. I don't think we tell the developer, no, is picking and choosing. I think what it is, is us being discerning and not just acting as a rubber stamp. Not every development proposed to us by developers is a good idea. I think that's particularly true if we take into account the quality of life of our residents rather than the frankly, the benefits served to the development community, particularly as they target the most vulnerable and marginalized areas, which I think is something that actually remiss from the fact that some of us were saying that we have to prove everything that comes in front of us, I think really speaks to the fact that we can all acknowledge that that that type of concentration is a bad idea. So, anyhow, I feel like the District Rep is in the best position to know her District, to know the challenges faced by the District. I do know that there have been a number of community organizations that have been very vocal about this, and I don't want to discount their voices either. So, I will be supporting the separation of these items from the remainder of the proposals in front of us approving those other proposals, but then also supporting the District Rep in denying the balance.

Mayor Lyles said so, I don't know that that motion has been made yet, Mr. Newton. So, we'll wait and come back. Remember Mr. Newton's comments when we go to the next motion?

The motion that's on the floor right now is to adopt the list that's before you, with the exception of Fordham Place and Fairhaven Glenn. That is the substitute motion. I'm saving the substitute motion again.

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

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

NAYS: Councilmember Winston.

Motion was made by Councilmember Graham and seconded by Councilmember Bokhari, to approve Fordham Place and Fairhaven Glen.

Mr. Bokhari said given that we split this up, this isn't specifically in reference to this, but the whole approval altogether. It's been mentioned several times that we don't have any proposals in District six or seven in these cases. It's almost stated like, well why aren't we doing that? And are we preventing it from happening? I just want to personally go on the record to say I very much want that in District six. I speak to our housing Director, Ms. Wideman frequently about what we can do and how we can evolve that. I constantly put that challenge out to developers. It's important that we understand the narrative that gets thrown around a lot of well, it's not in six and seven isn't really what it's being teed up to be, because the fact of the matter is, on average, in many cases, land prices are 55 times more expensive in this part of town. So, can we go and throw bags of money at it and get a couple of hundred houses? Of course, we can, but we have to make the decision to say, are those couple of hundred houses in the money it would take, given those land costs, is worth, potentially using that same amount of money it would take to do that and get over 20,000 units around town because that's the difference in the pricing right now.

So, while we continue to use the tools of the past, which are these dollar amounts and what we're doing, we have to look at the 24 plus thousand unit crisis heads in beds that we have to address and be stewards of these dollars. And it, by no stretch of any imagination, makes me less want affordable housing in my District or in South Park. There are plenty of Police Officers and teachers and Firefighters and people working in hospitality that need to live closely there. As a part of this, the market will take care of when people can't hire those folks because they don't live around there. Another part is us being creative and innovative. So, we're pushing on that going forward as hard as we can. We're starting to see things evolve. Our partnership with Mark Etheridge and Doug [inaudible] the folks that are doing all the great NOAH (Naturally Occurring Affordable Housing) work, an investment that is innovative and unique. Until we start innovating out of the box and partnering with our development community as they're the ones we're asking to do this, this is going to continually be what the map looks like every single year. It isn't a factor of any of us not wanting it there. I think that's a really important point because the opposite of that narrative which gets pushed around is really actually damaging to the goals that we are trying to pursue.

Councilmember Johnson said I'm going to support the district rep. It's because we've used the words, being intentional and strategic and setting precedent, at some point for me, I want to put my vote where those statements are, if not today, when, next year? So, we recognize the need for housing. That's why I ran I'm an Affordable Housing Advocate, but it's okay also to be strategic and to be intentional about where these units are placed. Councilmember Bokhari talked about the land cost being 55% more than in other areas. Well, it's bigger than the land cost. This is also an opportunity to address upward mobility. So, if the City gets behind some of these priorities and really starts to focus if we financially support developers and projects to diversify affordable housing, that's not only going to address the affordable housing, that's going to address individuals that had better opportunities for better schools, better jobs. Transportation is going to be solved. So, for me, I will be voting no against this petition. It's because, at some point, we have to stop and not be dazzled by the affordable housing term, but really be intentional about solving these problems. So, my vote is no.

**Councilmember Eiselt** said this is not the time to have this discussion. With all due respect to my colleagues, we should be having these discussions. We got the packet a while ago. This is the time for the vote. I think we kind of have the vote.

Mayor Lyles said I hope that you guys will give me some grace. We have done an exceptional job putting these names up on a computer in big letters that I can see them. If you want me to run a meeting according to the rules, I can understand that there's a lag sometimes, like Ms. Johnson. Mr. Newton was commenting after we had already started the vote and had the motion.

Mr. Newton said I had my hand up before the vote, I did.

Mayor Lyles said sometimes it's a difficult job, but I guess somebody's got to do it.

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

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

NAYS: Councilmembers Johnson, Newton, and Watlington.

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#### **ITEM NO. 13: RENEW THE CHARLOTTE-MECKLENBURG REGIONAL HOUSING CONSORTIUM**

Motion was made by Councilmember Egleston, seconded by Councilmember Graham, and carried unanimously to adopt a resolution authorizing the City Manager to renew the Charlotte-Mecklenburg Regional Housing Consortium Agreement to continue receiving an annual formula allocation of HOME funds effective July 1, 2021, through June 30, 2024.

The resolution is recorded in full in Resolution Book 51, at Page(s) 401-405.

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#### **ITEM NO. 14: INTERLOCAL AGREEMENTS FOR THE METROPOLITAN PLANNING PROGRAM GRANT FUNDS**

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, and carried unanimously to adopt a resolution authorizing the City Manager, or his designee, to execute Interlocal Agreements with Iredell County Area Transportation System and Union County Transportation to support transit planning activities for the Charlotte Regional Transportation Planning Organization.

The resolution is recorded in full in Resolution Book 51, at Page(s) 406-452.

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#### **ITEM NO. 15: APPROPRIATE PRIVATE DEVELOPER FUNDS FOR THE NORTH TRYON AND 36TH STREET STREETScape PROJECT**

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, and carried unanimously to adopt Budget Ordinance No. 57-X appropriating \$25,000 in private developer funds from Grubb Properties for the North Tryon and 36th Street Streetscape Project to the General Capital Projects Fund.

The ordinance is recorded in full in Ordinance Book 63, at Page(s) 659.

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**ITEM NO. 16: CHARLOTTE-MECKLENBURG GOVERNMENT CENTER  
GOVERNOR'S OFFICE LEASE**

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, and carried unanimously to (A) Adopt a resolution authorizing a lease agreement with the State of North Carolina for the lease of approximately 1,343 square feet of office space (suite 231) in the Charlotte-Mecklenburg Government Center, and (B) Authorize the City Manager, or his designee, to negotiate and execute all documents necessary to complete the leasing of the office space.

The resolution is recorded in full in Resolution Book 51, at Page(s) 453.

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**ITEM NO. 17: WATER AND SEWER REVENUE BOND ANTICIPATION NOTE**

Motion was made by Councilmember Driggs, seconded by Councilmember Egleston, and carried unanimously to (A) Adopt a bond order and resolution authorizing the issuance of up to \$250,000,000 of revenue bond anticipation notes and calling for the execution and delivery of various documents in connection with the issuance, and (B) Authorize city officials to take necessary actions to complete the financing, including making the application to the Local Government Commission.

The resolution is recorded in full in Resolution Book 51, at Page(s) 454- 461.

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**ITEM NO. 18: SET A PUBLIC HEARING FOR REFUNDING OF OUTSTANDING  
TRANSIT DEBT**

Motion was made by Councilmember Driggs, seconded by Councilmember Egleston, and carried unanimously to (A) Adopt an initial findings resolution that makes certain findings for the proposed financing and calls for the execution of various documents necessary to complete the sale of Certificates of Participation, and (B) Adopt a resolution setting a public hearing for May 10, 2021, for an installment financing contract not to exceed \$200,000,000 to refund the outstanding 2008A COPS and the 2015D Transportation Infrastructure Finance and Innovation Act financing.

The resolution is recorded in full in Resolution Book 51, at Page(s) 462-466.

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**ITEM NO. 19: SET A PUBLIC HEARING FOR AN INSTALLMENT FINANCING  
CONTRACT FOR HOSPITALITY AND CONVENTION FACILITY PROJECTS**

Motion was made by Councilmember Driggs, seconded by Councilmember Egleston, and carried unanimously to (A) Adopt an initial findings resolution making certain findings and calling for the execution of various documents necessary to complete an installment financing contract, and (B) Adopt a resolution setting a public hearing for May 10, 2021, for an installment financing contract not to exceed \$50,000,000.

**Councilmember Ajmer** said I just want to get clarification on this. So, how is this different than what we do now? I understand this is not a new obligation which was already approved by Council. So, I just want to see what has changed in the process. Mr. Manager, if you could help me understand.



**Marcus Jones, City Manager** said I believe that our CFO is coming to the lectern.

**Kelly Flannery, Chief Financial Officer** said so, there's nothing different about the process. You typically approve the appropriations and then when we come back to do the financing, you approve that as well and that's what this step is.

**Councilmember Driggs** said so if you read the link on here, what this is, is, I think is about a line of credit that we're thinking of establishing. This is a little different from the way we usually do this and we're doing it because of the unavailability of the kind of funding processes that we would have used here and the fact that we can't create new bonds subject to a public vote until the next time to the [inaudible]. So, this is kind of a procedural step that gives us access to funds on an interim basis by basically entering into a credit agreement with the bank. Mr. Manager is that a good description?

Ms. Flannery said that's correct. So, these are similar to bond anticipation notes, but just for COPS (Certificates of Participation), so they have a different title that's the same interim financing before the long-term take out.

The resolution is recorded in full in Resolution Book 51, at Page(s) 467-470.

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#### **ITEM NO. 4: CLOSED SESSION**

Motion was made by Councilmember Bokhari, seconded by Councilmember Winston, and carried unanimously to go into closed session pursuant to NC General Statute § Pursuant to NCGS 143-318.11(a)(3), I am asking for a closed session for City Council to consult with the City Attorney to preserve the attorney-client privilege and in the following litigated matters Webster v. City of Charlotte, Moore and Lockhart v. City of Charlotte, Summers v. City of Charlotte, Smith-Phiher and Patterson v. City of Charlotte, Phiher v. City of Charlotte, Puckett v. City of Charlotte and Nantz v. City of Charlotte.

The meeting was recessed at 7:37 p.m. for a closed session.

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, and carried unanimously to return to open session.

The closed session recessed at 9:32 p.m. for the regularly scheduled Business Meeting.

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#### **ADJOURNMENT**

The meeting was adjourned at 9:33 p.m.

  
Stephanie C. Kelly, City Clerk, MMC, NCCMC

Length of Meeting: 4 Hours, 48 Minutes  
Minutes Completed: June 07, 2021