

The City Council of the City of Charlotte, North Carolina convened for a Strategy Session on Monday, April 4th, 2022, at 5:12 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Council Members present were Tariq Bokhari, Ed Driggs, Larken Egleston, Julia Eiselt, Malcolm Graham, Renee Johnson, Matt Newton, Gregg Phips, Victoria Watlington, and Braxton Winston, II.

ABSENT UNTIL NOTED: Councilmember Dimple Ajmera.

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Mayor Lyles said thank you for joining us, as we take a moment on this beautiful April 4th; maybe it's a little bit brisk, maybe a kite flying season for the Charlotte City Council Strategy Session. Our Strategy Session is actually designed to have Council Members communicate the work that was under development, in development, or things that are coming through as a completion prior to the vote that we have officially on our regular business agenda meetings. So, we're glad to have the public follow us. Again, this meeting is being held with the appropriate notice for the virtual folks that are attending. We also have people that are joining us inside of the Government Center. I'd just like to say again, welcome to this meeting I'm going to ask if we can start our introductions with the city clerk and then we'll go forward to those that are attending virtually.

Our agenda tonight includes the most important information around the Council committee's work. This is where the committees have been working during the last month, and they had the opportunity to report not what they've been working on, but to actually inquire about the work that they need to have assistance in gaining more information or more knowledge. So, the committee reports are available, you can watch the meetings online. You can also see the minutes of those meetings are posted as well, but in this opportunity, it's a dialog to ask questions as the committee has done the work to pose those questions for the members that are not attending that particular committee meeting.

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ITEM NO. 1: COUNCIL COMMITTEE REPORT OUTS

Mayor Lyles said I thought we would start with Transportation and Planning and then we follow that with Safe Communities.

Transportation and Planning Committee

Councilmember Eiselt said good evening, everyone. The Transportation Planning Committee met on May 14th and we had several important updates. The first one was on the Strategic Mobility Plan, which is, as you all know, it's a document that's meant to update our transportation policies and deliver mobility networks for all modes of travel. Definitely, it's a priority with regard to our investment strategy for our transportation network. The plan will align with CATS (Charlotte Area Transit Center) 2030 Transit Plan and ongoing recommendations being developed through the Envision My Ride bus plan and staff is going to come back to us in May with a draft strategic mobility plan for the Committee and full council. We talked about the policy map and the committee received an update on the policy map. This was approved last week, as you all know, and it goes into effect on July 1st the map will be used as an adopted land use policy for decisions and capital investments and future planning initiatives are to monitor and track the progress of the map and make changes as appropriate.

Starting in the fall of 2022, city staff will begin that community area planning process. That's what we met and talked about last week, follows the adoption of the map, and this process is intended to look more granularly at the 15 different areas and how we implement the Comprehensive Plan vision, the 2040 Comprehensive Plan on a neighborhood-by-neighborhood basis. That's really when residents will have the opportunity to dig into details of their neighborhood. Again, that's broken into 15 different area plans. Then we had an update on the Unified Development Ordinance. The work is ongoing. As is the economic impact analysis of the UDO (Unified Development

Ordinance). We've had multiple interactive workshops that have been held with the development community addressing a wide range of issues ranging from economic and design issues to see where perhaps there's some conflict still, you know, unintended consequences, that kind of thing.

And we've also have the economic impact analysis identifies potential refinements that need to still go into the draft UDO, based on the detailed financial and physical impact. Through this process, staff has been working with the development community and the community at large to identify potential issues. This will come back to the committee in April with final recommendations.

Councilmember Driggs said I just want to emphasize, in addition to the report from the Mayor Pro Tem, that we are very actively discussing the process through which the phases will be implemented. The adoption of the map has occurred. The UDO is coming and we are working with the staff on the steps that will be taken to address issues that may still be outstanding. Some concerns have been raised by members of the public about this and I thought it was worth stressing in this meeting as well that we do intend to be responsive to issues that come to light related to the map and to make sure that our transition to the full implementation of the UDO is working. I just like to stress that. Thank you, Mayor.

Mayor Lyles said thank you, and I want to recognize Councilmember Ajmera has joined us now. Now we'll go to our Safe Communities Committee.

Councilmember Ajmera arrived at 5:17 p.m.

Safe Communities Committee

Councilmember Eggleston said just by virtue of the way that the calendar was in the month of March, we actually have not had a meeting since the last Strategy Session update. The meeting happened to be the 1st of March and we had our Strategy Session six days later. So, no updates from our meetings since then, but I did want to give folks a preview of what will be discussing at our upcoming meetings please note that our April meeting has been shifted to a different day than it would normally fall on. That will be on April 13th now. We will be talking about CMPD (Charlotte Mecklenburg Police Department) gun safety efforts, which has been a topic of conversation that a couple of the most recent committee meetings, about managing high nuisance properties, which we've frequently discussed as a council. Every council member knows of a couple of addresses in their district or in the city that just sort of seems to constantly be the source of headaches for the community. So, we're trying to create a strategy around how to deal with some of those frequent fliers, if you will. Amendments to the neighborhood traffic calming policy. We do intend for the committee to vote on those recommendations to send to the full council for consideration in possibly May or June. Then we are also anticipating that based on the outcomes of our discussions tonight around some of the city codes that were removed from the group that we passed last week that we might be considering or discussing some of those, again, pending the outcome of tonight's conversation.

And looking forward a little further to May, putting a bow on some of those things I just mentioned that we've already, but also are continuing to work on safer streets for all users effort. So, that is what we've got on the docket in front of us. Might have more after tonight's meeting, but welcome any or all of you to join us on April 18th for our next meeting.

Mayor Lyles said to look forward to next month's report because it seems like you're got a lot on your plate for that meeting, Mr. Eggleston.

Intergovernmental Relations Committee

Councilmember Winston said so, the last Intergovernmental Relations Committee meeting we had our federal updates and our state updates that we get every meeting.

You can see the updates that are in our packet right here. I will say also in this past month, I've mentioned in a couple of different meetings, but Mayor Pro Tem, Councilmember Eggleston, and I were able to travel up to Washington, D.C. last month where we did carry our federal legislative agenda. I thought they were received very well. I was able to attend meetings myself with Congresswoman Adams and Senator Tillis and Senator Burr's staff. Mr. Eggleston and Ms. Eiselt were able to meet with Mr. Bishop's office. So, I guess they can say whether or not it went the same. But again, everything was received very well and there's a lot happening up in D.C. that we'll keep our eye on as we continue to make strides on our policies down here. We also did get a chance to talk about this functional consolidation or a consolidated approach, as you will. And we reviewed the charge that the entire council gave us in committee. We were able to talk about it. The co-chairs were encouraged by committee members to have informal conversations with County Commission. And I would like to report that I've had some of those conversations and they have gone rather well. We were able to talk to Chairman Dunlap, and we were able to kind of get everybody on the same plane, the same level as what this was and what this wasn't. I was also able to have a conversation with the Intergovernmental Relations Committee Chair, Mark Jerrell, as recently as this afternoon and we were both encouraged about where we are. He is going to invite us to the May Intergovernmental Relations Committee meeting so we can talk about things. I will say he did ask for communications from us, from our committee kind of laid a few things out. I will get with the co-chair and staff and we'll work on that and we'll clear that with the committee members. Would like to get that to Jerrell by early next week.

Councilmember Bokhari said I would just add also in conversations in Raleigh last week, I got some indication that the IIJA, that's the Infrastructure Investment and Jobs Act, is the next large federal spending bill on infrastructure. While that obviously was passed at the end of last year, there's a large dollar amount of money right now that the federal government is working on establishing more detailed protocols. So, just a heads up to staff and the Manager, and I think that's one that we should definitely be proactive in identifying opportunities. I can have some more conversations with you guys offline, but clearly, that's the next big thing coming and those who are our most proactive benefit, the greatest.

Mayor Lyles said thank you very much for the work. Look forward to the continued work around those two topics. The next committee is Great Neighborhoods.

Great Neighborhoods

Councilmember Watlington said thank you, Madam Mayor. Great Neighborhoods met this past month and talked about two things. The first being our homeownership programs. We've talked for a while as a council about needing to upgrade those to match the market, and so we reviewed some of the opportunities to do so in our meeting, which included things like updating the city's down payment assistance programs by increasing the funding and per unit maximums, expanding the use of the acquisition rehab and resale program through a revolving loan fund and expanding resources for new home construction. There are a few other tools that we discussed that we are looking for an update back from staff after an investigation in regard to restrictive covenants on homeownership projects to make sure that we can protect for affordability. First right of refusal for the city to be able to buy back previous investments and shared equity models to create new funding sources. Staff will refine the strategies and then bring them back to us. One of the things that we mentioned as well is in addition to updating the tools, also making sure that we've got a robust marketing campaign that we can reach would-be buyers as well as will-be sellers so that people know and can take advantage of the opportunities.

The second topic we covered was our source of income discrimination recommendations from the Ad Hoc Committee, and we did vote unanimously to move those recommendations forward to the full council. So, we'll be discussing those soon as a full council, hopefully, to adopt. So, those were the main two items from this month from the Great Neighborhoods Committee.

Councilmember Johnson said I have a question regarding the source of income discrimination, and I don't know if there's anyone from the city to talk about it. There is. Okay. I sent some questions about the application or the implementation of the policy, should it be adopted. Is Shawn coming forward?

Shawn Heath, Special Assistant to The City Manager said could you repeat your questions.

Ms. Johnson said well, I sent some questions to Ms. Harris earlier. I asked if we had the number. Well, the recommendation says that this discrimination in this policy will be applicable after the policy is developed. I wanted to know how long the policy would take before it was developed. And then I also asked for the number of pending TIGs (Tax Increment Grants) that we have and how many residential units are included in those TIGs because here's my concern. If the policy takes three months to develop and in the next three months or the past four months, we've awarded TIGs and we're missing opportunities to implement this policy. So, I just wanted a timeframe around those two questions.

Mr. Heath said thank you and I can answer the first question. We also have Todd DeLong here from the Economic Development department to provide some context on where we're at with TIGs. You know, we're going through a multi-step process on the source of income. Last year, the Ad Hoc Advisory Committee was formed about a year ago, releasing their recommendations in December. Great Neighborhoods, discussed the recommendations of the two co-chairs from the Ad Hoc Advisory Committee, which came to the committee on February 28th, and then on March 28th, staff led the discussion around what would the next steps be associated with adopting a policy where the source of income protection is adopted for all city supported housing above and beyond the housing Trust fund, where that protection already exists today? So, that would extend it into city-owned land. Any support provided for rental housing through CDBG (Community Development Block Grant) home dollars and TIGs.

So next step in the process over the next few weeks will be working with the advisory committee. One last check-in with them as it relates specifically to, for example, enforcement mechanisms associated with the policy. So, when we come to full council and we'll be ready to come back to full council in the early May timeframe, subject to availability, we will walk in with the full proposed policy for your discussion and we'll be prepared to move as fast as you want to move.

Ms. Johnson said okay, and then you also have the information about the pending number of TIGs or the pending number city supported.

Mr. Heath said yes If I can have Mr. DeLong, provide some perspective on that.

Ms. Johnson said okay.

Todd DeLong, Economic Development Manager said thank you for the question. With respect to the question about the toxic immigrants, there may have been a misunderstanding by us this morning because I thought the question was actually what TIGs have been approved by the council in the last four months, which we've had one approved, which included 350 residential units.

Ms. Johnson said I can't hear you that well. I'm sorry.

Mr. DeLong said we've had one tax increment grant approved in the last four months that have included residential units.

Ms. Johnson said that did not include?

Mr. DeLong said it did include residential units, 350 units. That was the Pearl Innovation District. And then when it comes to pending, we have, it's hard to say the number off the top of my head, maybe two or three, but I would say that there are no policies that would

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actually preclude us from actually including some of this language into our agreements as we negotiate them today. There's one agreement right now. I think that we're working on actually including some language that would be similar to what you're looking at from a policy perspective and how we can incorporate that into the agreement. So, the way our policy is currently set up is we do have the flexibility to incorporate some of the council goals without actually having a policy requirement. That's one of the things we enjoy about the flexibility of our existing policies.

Ms. Johnson said so, there's 350 units in the Pearl. Do you have the numbers for the other one?

Ms. Johnson said no, not off the top of my head. The other one that I'm thinking of right now, I think there might be 90, 84 units total.

Mayor Lyles said perhaps you could get that to us.

Mr. DeLong said absolutely.

Ms. Johnson said and also present it when the meeting is occurring. So, the public can see this information as well. These are public dollars. Also, I want to make sure that the list that we're talking about is inclusive of all city dollars. I know there's certain things that are named, like TIGs, home dollar, and, you know, there's some specificity there. I want to know if that language, if we need to be so specific in a case in the future there would be something, some other program that had a different name or I don't know if CIPs (Capital Investment Plan) ever have residential attached to that, but the goal of this policy from the council perspective is that any public dollar received by a developer, that that developer is not able to discriminate. So, I don't know if we have to be so specific with the name or if we can just say, you know, any public dollar is included.

Mr. DeLong said yes, the staff certainly understands and agrees with that point on intent and the references that we made on March 28th were just to try and illustrate what would be different going forward, since we know this protection-related housing choice vouchers is already included in the housing trust fund. We just wanted to shine a light on what are the other types of funding sources where we're potentially relying on to bring more affordable units into the marketplace.

Ms. Johnson said I understand. I just want to make sure that we're inclusive for future languages. And then lastly, I just want to clarify with what you said, Todd. You said that there would be room to negotiate the TIG outside of the policy. So, it's possible or we have the ability should this be passed, that current TIGs or pending TIGs would also fall under this policy, right?

Mr. DeLong said yeah, I wouldn't say that we have the ability to negotiate outside of policy. I think everything that we're negotiating is within policy, but we have the flexibility within that policy to negotiate different things to help achieve council and community goals.

Ms. Johnson said okay, so does that mean if the policy's passed in, I don't know, June or July, then a pending TIG today, those 350 units or we know of at least maybe 450 units, 440 units that are currently, I think pending TIGs that it could fall under this new policy.

Mr. DeLong said the tax increment grants that have not been approved by the City Council yet may be able to incorporate some of that. A lot of these just depend upon the projects themselves and whether or not they actually afford the opportunity to negotiate some of these elements into this. As we're doing these, we're not directly supporting residential development through these incentives. We are already getting a public benefit, whether it's through infrastructure or something else. So, we want to make sure we're still able to achieve that public benefit through this partnership, while also maximizing the types of community benefits that we can achieve through these agreements.

Ms. Johnson said okay, thank you.

Ms. Watlington said I just wanted to say, as I'm thinking about what Todd just shared, I think it's important that we, yes, we have to prioritize community benefits, but I want to be very careful that we don't start to say, well, we'll sacrifice this one for the sake of these other pieces. It feels like me there are some things that we don't take quite as seriously as the rest when it comes to economic development. I would hope that our policy reflects that in our behavior even more so reflects that. I don't want it to be something in which we look at 17 projects and none of them have affordable housing because we say, well, we already got benefits because we've got a street.

Mayor Lyles said I think that's a fair question. I think that with these projects come up and are discussed, it's going to probably be a lot more uniqueness to each one of them and the Council will have to make a decision on which of those would be most important for the development and the TIG and the legislation that we have that allows us to do it. So, I think that's a great point. I don't think we have any further questions for the Great Neighborhoods. So, we'll go to the Triple E Committee.

Environment, Engagement and Equity Committee

Councilmember Ajmera said thank you, Madam Mayor. Good evening, everyone. The Triple E Committee and the Environment Equity and Engagement Committee had three items discussed at our last committee meeting. Number one is the Strategic Energy Action Plan report. It's the same presentation which was received at our last week's Strategy Session. Also, staff focused on progress towards our 2030 zero carbon building goals, and there is about an 18% gap that the city of Charlotte will work to close that gap to meet our 2030 goals. Also, the committee discussed equity and how equity's embedded in our actions and goals. Last, but not the least, the committee emphasized that we need community support to meet our community-wide 2050 goal of going carbon-free.

So, that's where we continue to need support from neighborhoods, the private sector, nonprofits, and other agencies to help us lower our carbon emissions. So that's the SEAP (Strategic Energy Action Plan) report. The second item that the committee had discussed was the American Americans with Disabilities Act Program Update. The ADA Update. So, the committee had received an update on the program and the transition plan, and also staff had shared that the city has an online portal that's open for feedback. Last, the committee emphasized is that the ASL interpreters and American Sign Language interpreters should be available at Council meetings and we have asked staff to look into that as our budget discussion continues because I think that is very important. Many of my colleagues on the committee feel very strongly that if we want to truly build equity, we should be intentional about how folks with disabilities are able to access our council meetings.

So, I hope that Mr. Jones brings up our budget proposal that will have our ASL interpreters available at our Council meetings. The third item on our agenda was equity in the governance framework, as I had mentioned at our last committee update. It's a huge undertaking of our staff support. Federico Rios has shared an update and a draft equity and governance framework and how we are going to go about the engagement, and equity tool for committee feedback the committee had provided feedback on this draft on how we use an equity lens to address our council priorities and strategic approaches. So, it's very important that as we move forward that we are using data, we are using partnerships, and engagement to create equitable communities. So, the next step for the committee is to finalize the draft framework and bring it to you all at our next Strategy Session in May for additional discussions and feedback. But really those are the three things that the committee's tackling. Any questions?

Mayor Lyles said I would really appreciate an opportunity to review the draft framework and I know that you are going to send it out. When you do that, could you include the comparable communities that you have or some of the best practices that you've seen in other communities like ours, you know, with the same kind of, you know, an opportunity for black and brown and white folks to be considered, the ability to have our equity lens mirror the demographics that we have or the data that we have for the city? Just some

examples of that if you have it. The staff has done some research around that that would help us compare the conversation of that framework with others. I believe that would be very helpful.

Ms. Ajmera said Mr. Rios had provided a couple of examples, and I can ask Mr. Rios to send you all a copy of our last committee meetings presentation, but our goal is to provide a really more comprehensive update to you all at our May Strategy Session. So, we are providing our comprehensive feedback as well as some of the examples from other cities and what they are doing to tackle equity, but we looked at Long Beach, we looked at cities in Kansas, and we looked at one more city. Mr. Winston and Mr. Johnson, help me out here. What other city did we look at? I remember Long Beach pretty well because they were doing something very unique with their equity tool, but other cities that you can, do remember?

Mr. Winston said I forgot the specific city.

Mayor Lyles said I just think it would be helpful. I want to look and see how much we cover.

Mr. Winston said to that end, I would just ask. I don't know if Mr. Rios is available. We did give some feedback as to some of the holes that we saw and some of the good things of course, but from what we heard from ourselves and from our colleagues, there were things that needed that staff needed to go back and look at. So, I don't know where they're at in that process. Obviously, we can get the minutes and whatever presentation was given, but I would just say that staff is continuing to sharpen the pencil today and it was no, it wasn't near the final draft.

Mayor Lyles said well, I think that this is good work and congratulate all of you for putting the time and effort into it and so we'll hear back from you in May.

Ms. Johnson said I just want to add that we did hear from the Manager, Terry. I can't think of his last name right now over the ASL and the ADA Department.

Ms. Ajmera said Mr. Bradley.

Ms. Johnson said yes and so we've heard from the hearing impaired community. So, I just want to let my colleagues know that closed captioning is not the language of those who use ASL communicate and we are excluding members of the public by not having an ASL interpreter at every meeting. So, I hope that we can support that.

Mayor Lyles thank you. Anything else, Ms. Ajmera?

Ms. Ajmera said no, that's it and thank you for that charge and thank you for that vision, Mayor.

Mayor Lyles said we will go to Economic Development, Mr. Graham.

Economic Development Committee

Councilmember Graham said thank you, Madam Mayor, and good evening, everyone. The Economic Development Committee met last month and the members are Vice Chairman Driggs, vice mayor of Phipps and Wallington and we had a very good conversation about a topic that I'm very near and dear to me is the Corridors of Opportunity. It started last month when we had a similar meeting discussing committee updates and as you know, the Corridors of Opportunities about how we preserve, protect, strengthen, and build a legacy in six quarters throughout the city of Charlotte. Those corridors being Beatties Ford Road and Rozzelles Ferry, Sugar Creek, and I-85, Graham Street, and North Tryon, Central and Albemarle, West Boulevard, and Freedom Drive, Wilkinson, and we've been doing a lot of work over the last year on all these corridors. Particularly Beatties Ford Road, in Councilmember Watlington's districts specifically. But of course, the goal is to outreach to all of them as well. It should be noted that while this

alliance and the Economic Development Committee, it's cross-sectional a number of other committees and other city departments are playing in this space as well.

Part of the goal is to make sure that all these corridors are safe and that there's areas for placemaking, affordable housing, mobility option, food access, community development support, infrastructure, supporting of small businesses, and public-private partnerships. It should be noted that not only has the city seen a value in protecting these corridors, so of our corporate community as well as the major corporation have already and also invested in putting their money where their mouth is in terms of the need to further strengthen and grow and develop these quarters throughout the city. Currently, there's over \$218 million of private dollars for placemaking, and violence interruption. Obviously, these include the Mayor's Racial Equity Program and another \$20 million from Wells Fargo. So, there are a number of eyes on our corridors, rightly so, in terms of how we move forward. As I said before, the staff did a great job in terms of level setting for the committee.

Again, we have new committee members in terms of laying out specifically what we're doing in each and every corridor. Every corridor is uniquely different. Beatties Ford Road has gotten a lot of attention as well as Ms. Watlington's district because we were kind of first out of the dugout for the lack of an analogy in terms kind of being ready to move forward, as Wallington has for Playbook. Certainly, there were a number of other initiatives on the ground on Beatties Ford Road. Our goal and objective moving forward is really to begin to go and do more work in District 4 with Councilmember Johnson and certainly in District 4 with Councilmember Newton and again, all of the corridors. Again, some are further along than others. Some are on first base, and some is on third base, but the goal and objective is to be intentional about what we're doing. Understanding and knowing that each corridor is uniquely different. Each corridor is a different stage of life in terms of this development, but all are equally important. It should be also noted that we have a new loan executive from the Corridors of Opportunity from Bank of America. His name escapes me. I'm sorry, but he's working with us and I will be touring with him all of the corridors, starting with District 2 because I'm District 2 representative.

What we want to do is your reading my mind, what we really want to do is because I believe in the concept of feeling, seeing, and touching, and now that COVID (Coronavirus Disease) is primarily going down to really get anything and take the committee on a road trip so that we all can experience and see what's happening on our corridors and talk to some of the small business owners and talk to and see where the land needs to be purchased in some cases and talk to the police officers on the ground and talk to a lot of the stakeholders in the neighborhoods and communities along these corridors and really get a feel for what we're investing in so that when we come to the council and talk specifically about Project A, B or C, there's a knowledge around the table based on what we're seeing right in our briefing material, but also based on that site visit that we can really react to.

So, hopefully we will be announcing relatively soon, sometime in the summer, where we can really kind of get from behind the desks and into the community and really begin to kind of walk these corridors and touch them and feel them in a way that will make a difference. So, I'm really excited about that. Also, very excited about the partnership that we have with the private community. Obviously, all of the dollars have to be used for a public purpose, and for the last year and a half, I think the manager probably lost most of this hair off because we really, really, really stretch how we use public dollars and the importance of what the Mayor has done for us by going out and working with the private community is that we can use those private dollars where our public dollars stop and that's really, really important because some of these scenarios that we're dealing with need some private help. And so, it is really encouraging that the private dollars that there is really encouraging that major foundations in the community is supporting these corridors. And again, it's a lot of work, a lot of thinking out of the box and doing things differently than we have done before, but I am convinced that if we can revitalize the corridors, we can revitalize the communities that surround them.

And so, I'm really excited about it. That was basically the bulk of the meeting at the last meeting. Very good questions from the Vice Chairman and members of the committee in terms of how we approach these corridors and certainly I'm looking forward to working not only with Tracy Dodson, who's our staff liaison to our committee but also working with Councilmember Wallington, and Shawn and the Affordable Housing Committee, because we kind of all kind of work together, right? Even transportation infrastructure, because all those things touch the corridors and wallets rest in our committee. We certainly will be outreaching out to various other committees and their chairmanship and their staff liaison for support and encouragement. I guess in some cases some funding, right? Where, you know, so the Manager takes care of all of that for so. But that's the extent of our report.

The one thing that I'll be remiss if I didn't say is that there was a need from the committee and a clarification about the governance structure in terms of how the private money is going to be utilized, right I think people just want to kind of know who, what, when, where and why and to what extent that those dollars can be used and the governance structure and making sure that there is, you know, not only accountability for how the public dollars are being spent but also I believe the private dollars need to have some type of public accountability as well. Thank you.

Mayor Lyles said I agree with you, Mr. Graham, on the private sector part. I think that they ought to have the same kind of reporting on a regular basis to the community because I believe that all of us will do good. I think that this is why we should promote ourselves more often about the work that we do. This is a community that steps up to solve a lot of big issues, and I think we should talk about that even more. I know that there are ways that everybody has to communicate, but I challenge us to figure out a way maybe it's an annual report from the city, or maybe it's some document that we can use online or some ribbon or dashboard, whatever it is. I think it's important.

Mr. Egleston said not a question for the chair, but this feels most appropriate to bring up economic development as we're discussing it. So, this is really for the Manager and will not come as a surprise to him because we've had this conversation a couple of times and I've had other council members a couple of times. I think as far as economic development, as it relates to supporting our local small businesses here in the city, the state government has given us a tool, gave us a tool last year that we've still utilized, and I've been pushing the Manager to bring forward to us a strategy around how we can implement a pilot in one or two parts of our city as it relates to social districts. So, I'd ask him if he has an update on that or when we can expect to see it, because I think that is a way, particularly as we move into the warmer months of the year, that we can help breathe some additional life back into our hospitality industry in particular, but really small businesses across the board in some of our more walkable neighborhoods and also encourage people to move around on foot and on bikes and on scooters and things like that get out of their car. So, I'm hoping that he can bring forward something that's soon and I'd like to see us implementing a pilot as we head into spring and head out of COVID.

Marcus Jones, City Manager said so, I will say the name again, Charlotte Lamb. She is on loan to the Manager's office and she has been working on gathering data that's related to the social district. So, I think we have a very good start and I would be able to get something back to the Council this month about the possibilities of social districts.

Mr. Graham said just one more comment, Madam Mayor if I can.

Mayor Lyles said please.

Mr. Graham said which is looking at Matt and it brought back to my memory. A lot of conversation at the committee meeting about Albemarle and Central Avenue in light of the last couple of weeks where the individuals who had the shops that were displaced, about how we can be a lot more intentional in terms of beginning to work over there. Obviously with Eastland coming online, with the soccer and the development there, obviously there's the skate park, I mean safety issues, tenant issues, all those we believe can be addressed through the Corridors of Opportunity given time and space. I believe of all the corridors, that corridor is uniquely Charlotte, Right? Because it's international. It's

what I like about Charlotte because it's not all brand new, right? I think some of the old stuff is really good stuff in the different cultures and the different opportunities. So, we saw a lot of opportunities for work on that corridor that a lot of the work is being done because there's individuals coming on, as you have been advocating for District 5 and a quarter, but also community groups in the organizations.

So, tell them to call, write and suggest how we can be supportive. And certainly, we look forward to working with you in the short term. And then in the long term, whoever succeeds you with those big shoes to fill. Thank you.

Mayor Lyles said May, the manager hopes to have something on the social districts.

Mr. Egleston said I might have misheard him. I thought he said something this month.

Mayor Lyles said oh, did he say this month? April? That's okay better. Even better, April and, Mr. Graham, I agree with you. I've always wanted to see International Way banners along Central and Albemarle. It's just one of those things that, it's when you visit other communities and see where they actually own San Francisco, Chinatown. It was just very clear. I mean, the banners were up, the people were sitting on their stoops and it just seems that there's a part of Charlotte that can benefit from just even a small investment and some of those kinds of opportunities to brand yourself and how it works and hopefully one day somebody will actually listen and maybe I'll actually figure out a way to get it done, but I also agree that the cultural diversity in that community needs to be celebrated more than anything else.

Mr. Graham said I think robots delivering coffee and Danishes.

Mayor Lyles said that is true.

Mr. Winston said District 3 and South Boulevard might want to have a word about that international way.

Mayor Lyles said well, it doesn't mean that we can only have one. I mean, there are lots of communities of ethnicity and cultural diversity around. So, I'm not limited to what we need to do, but I do think there is an opportunity to do something and we talk about it and we want to get big, I mean Eastland and you talk about all the work that we've been doing and I just sometimes some showing something simple just makes a big difference. So, but nonetheless, let's go on.

Ms. Johnson said thank you. I've talked to Councilmember Newton about the Eastland, the sun. I guess there was a logo that used to be at the mall that's somewhere in storage. I don't know if that would be what.

Mayor Lyles said I don't know what storage unit that would be. Who's going to figure that out? It's stored?

Ms. Johnson said it would be a nice monument for that area.

Mayor Lyles said okay.

Ms. Johnson said then speaking of branding, so District 4 and Mr. Jones and I have had a talk about 85 in Sugar Creek, and although I won't be the representative once that area is moved to District 1, I want the Hidden Valley residents to know that you still have me on council and you're at large rep and whoever that District 1 person will be to continue to advocate for that area. So, Mr. Jones, I thought that Sugar Creek and 85 was next in line after Beatties Ford or somewhere on the priority list for this year to have some attention. Can you clarify?

Mr. Jones said yes, so, we do them in pairs. So, we did have a West Boulevard and Betties Ford in let's call it round two, it is I-85 Sugar Creek and Central Avenue, Albemarle and so yes. And so, you did a design sprint. As Mr. Graham has said these corridors are

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all unique and you have citizen engagement, which is extremely important. And there was something a little bit different with I-85 and Sugar Creek, and that was the design sprint. So absolutely you are well down the road of being finished with your playbook.

Ms. Johnson said well, you know, there's been a lot of misinformation about me and Hidden Valley and all of that. So, I just want them to know that there's, you know, Councilmember, we're still fighting for them. And then secondly, branding the University area, there's something in the pipeline about more branding for the University area. The whole I think it's banners from this, from the streetlights or from the polls, there's something pending. Can you follow up on that because we really like to brand that area? The University area, UNC-Charlotte and we know the Tar Heels won, you know, so it's the association.

Mayor Lyles said okay, that was a stretch we will go back to the sun now.

Ms. Johnson said it's still a winning school whether or not is that but [inaudible]. We really want to brand that area.

Mr. Driggs said thank you, Mayor. As a supplement to the chair's report, I just wanted to mention that the committee actually met earlier today as well. We talked about the UDO, economic impact analysis, Hire Charlotte, and partner program update. So, I'm sure we'll have a report in our report out at the next strategy Session about that. We just wanted to let people know that meeting took place. The materials are on the website for the committee, so if anybody wants to preview that, they can. Again, I'm sure the chair will have a chance to talk about that or the next strategy session. Thank you.

Ms. Ajmera said thank you, Madam Mayor. I just wanted to follow up to Mr. Graham's point about Albemarle and Central Corridor and really addressing the displacement that has occurred of our vendors and entrepreneurs who have really made that site and brought traction to that site. I just want to emphasize that again, that as we consider our proposal for Eastland redevelopment and move forward with our next step, we have to figure out a way to make these entrepreneurs and these vendors part of the larger development so that they are sharing the prosperity and being part of the catalyst rather than being displaced or by this redevelopment. Also, to tie everything together with our international culture on Charlotte East. That also needs to be part of the overall redevelopment and how are minority entrepreneurs and folks of different cultures will get an opportunity to be part of this redevelopment? We have entrepreneurs along Central and Albemarle comes from so many different countries and they all bring something so unique that cannot be found in other parts of our city. I think, like Mayor said, we ought to celebrate that. I just want to make sure that we are looking at opportunities that they are all part of this redevelopment. Thank you.

Mayor Lyles said thank you, Ms. Ajmera. That is the last of the comments from for economic development. So now we will go to the budget and governance report from Mr. Driggs and knowing that we have a budget workshop this week.

Budget and Governance Committee

Mr. Driggs said thank you, Madam Mayor. We do indeed, and in fact, our committee meeting on March 7th, which included myself as chair, Ajmera as vice chair, and Councilmembers, Bokhari Eiselt, and Phipps. We basically previewed the presentations that we will see on Wednesday. So, I'm not going to tell you much more about them. Basically, we saw the budget outlook for our enterprise funds and we'll have a chance to go into those in detail. So, as I say, I think that's really all I have to report, but Madam Mayor, if I may, as a point of personal privilege, I did also want to report to the Council that there was a rally yesterday for Ukraine which I attended, along with the Mayor Pro Tem and Council member Ajmera. I read our resolution suspending our Sister Cities ties between the City of Charlotte and the city of Voronezh including our condemnation of the Russian invasion, our affirmation of support for Ukraine, and our acknowledging the great citizens of Ukraine. I just wanted to tell the council that was very well received by the

Ukrainian community that attended that rally and I think it's a good thing we did, and I hope we will continue to support Ukraine. Thank you.

Mayor Lyles said thank you very much, Mr. Driggs. We all wish that there was peace in this world and obviously, we're not meeting that mark at all many people are being harmed and hurt and the loss of life is just astounding. We stand with the Ukrainians and hope and pray that things do improve over the next several weeks now that they're beginning to have some conversations. With that, I think Ms. Johnson wanted to be recognized from the Budget and Governance report.

Ms. Johnson said thank you. So, you all know we've been out in the public a lot more and hearing from folks during reelection season and we're getting questions about transparency. We're also getting questions just different policies. So, I wanted to follow up and ask about the pending referral with the number of votes necessary to move the item forward that's been pending at this committee, I'd say, for over or almost a year. So, I wanted to know what the status of that referral was.

Mayor Pro Tem said what is item four?

Ms. Johnson said it's the City Council rules of procedure and I know I brought it up; I think it was last April or I don't I hope it wasn't April 2020, but we talked about the number of council members that was needed to move an item forward on our agenda. Right now, it's six of us need to agree and we talked about changing that. Mayor or Mr. Driggs, can you give me an update on the status of that or what happens when it's not heard at the committee level?

Mr. Driggs said I think the agenda items are normally developed in consultation with the City Attorney, and we haven't had any further input on the topic, frankly. So, I think if it's the will of the Council that we put that on the agenda for action, we can do it, but there really hasn't been any further input on the subject since it was first proposed.

Ms. Johnson said so, what's the process of some things? Refresh My memory, Patrick, if you can, something sent to the committee. There are X number of days for it to be brought back before the council right or the next step is to what?

Patrick Baker, City Attorney said I don't know that I've seen that level of precision in terms of when that comes back. That's typically at the committee level. I'm trying to pull up the committee information, but I can certainly give that to you. I don't know if Ms. James knows that off the top of her head or not.

Ms. Johnson said okay. Well, I know that was referred in April, so I don't know if it was April 20 21, or 2020. I know it was during the COVID.

Mayor Lyles said it was during COVID.

Ms. Johnson said isolation, yeah. So, if we could bring that up before Council, Mayor if it goes on the agenda, I think from a transparency perspective, it's time to take a look at that. Also, Mr. Driggs or Mayor, have we talked about looking at the city's ethics policies? Is that anywhere on our radar?

Mayor Lyles said my understanding and I would again refer to the attorney is that we did do a revision that the Council adopted in the last 18 months I'm sure.

Mr. Baker said it was adopted back in March of 2021.

Mr. Driggs said Madam Chair, I can speak to that as well. We did in fact, following a spate of ethics allegations about a pretty thorough review. We made a couple of changes and I feel that the committee has addressed that topic unless somebody wants to reopen it.

Ms. Johnson said well, you know, and I was on the committee then, but I think I'd like to look at when we talk about transparency, we're a big city, but I think many of the things

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that we do are with the kind of us of a small town feel. That's kind of what it's known as the Charlotte Way. There are things I'd like to take a look at that in some areas would be obvious conflicts of interest or so I really think that we should take a look at some of the things that are allowed from a city staff and fraternization perspective. So, I think would like to take a look at the fraternization policies with city staff and developers and, you know, candidates and all of that. So, I think that that's an area that I think that we should tighten up, Mayor. Also, I would just like to take a look at even some of the questions that we're getting. I'd just like to take a look at the differences in our policies and make sure that if we really want change in the city, there are boundaries and rules and ethics and our rules are very tight as far as what's allowed the fraternization.

Mr. Driggs said if I may comment on that, you're bending about some terms here about ethics, transparency, and so on and there seems to be a sort of an insinuation of impropriety. I have to tell you; the rules on conduct are actually pretty comprehensive in terms of the integrity of the way we work. I'm not personally aware of a lot of reasons to feel that there are gaps in our structure that are allowing things to happen that shouldn't be allowed to happen, but I really think it would be helpful if you could be a little more precise in terms of the issue you want to address so that we can establish whether or not it's covered by our existing policies because the policies are actually pretty clear about the way we're expected to behave, what constitutes a material breach? There are state laws that are involved there. So, we would need to have this conversation in the context of the letter of what exists today and exactly what it is that you're suggesting is happening that doesn't comport with that. I don't think it's helpful in a council meeting to make suggestions about improper behavior by members of council and not in the interest of transparency frankly, to be perfectly clear about what the issue is.

Ms. Johnson said well, let me be clear. I'm not alluding that any Councilmember is inappropriate. I'm talking about public stewardship and being above reproach in our policies. So, I would just like to take a look from a governance perspective, and I don't know if that's a referral and we can talk about it, but I would like and I don't know if that's an internal audit. I think that's been something that's been requested the in the past as far as our policies, but I want to make sure that our policies are befitting for one of the largest cities and that we are transparent and operating in good public storage ship.

Mr. Driggs said I would just say I believe they are one and two. I'm not sure that's an actionable referral. So, I would suggest that you look again at the policies we have and figure out where you think the deficiencies are and I'm very happy to and on behalf of the committee, at the request of the council to go back and look at those, but to repeat, we did conduct an extensive review. The Council did a lot of work and personally, I think we're in a good place. So maybe you and I can talk offline. You could point out to me where you think these issues are and we can work up a recommendation to the full council on what the committee might want to look at.

Ms. Johnson said okay.

Mr. Driggs said I have I don't know that from what you're saying right now, I wouldn't even know where to start. So again, maybe we should talk offline, or you can talk to the City Attorney and then I'm happy to be guided by what comes out of that conversation, but personally, I believe that our ethics requirements are actually competitive with those of any other city.

Mayor Lyles said I do want to say that we are at a point that I think we will be having a new council come in. There will be new members, a new leadership and I think that this is the kind of work that would be best done after the elections. Right now, we're all in campaigning and some of us are lucky enough not to be campaigning and Mr. Phipps and Mayor Pro tem, but I think that when you're looking at something like this it should be an area where we have the opportunity to have the council members first review what they are. As Mr. Driggs said, but I think the idea of the two of you working together to identify those things that we should take a deeper look at and to see how we compare and what we're doing here. I think that's important. I do want to say in my airport announcement, I always say that we're a big city with a small-town feel.

Ms. Johnson said the small-town feel is good, but the small-town policies or rules aren't.

Mayor Lyles said part of us, I don't mean this, I just meant it as a fun kind of thing. I'm not saying that we shouldn't do this. I'm basically saying I think there's a balance that has to be struck between what this council does as a whole after the election and how we see ourselves and brand ourselves differently. So.

Ms. Johnson said I understand the policy overview, but the referral that was made to the committee back in April, we we're not going to wait for a new council to follow up on that are we?

Mayor Lyles said I actually think that that would be one that the new council should take a look at. I mean, it's just an opinion. It's not something that the Council may agree with, but I feel like, when is the election, May 17?

Mr. Driggs said Mayor, that's the primary. The elections are in July.

Mayor Lyles said the primary is on the 17th and the election is in July. So, in the next six to eight weeks, I mean. So, we would have a new council elected. So, it's just an opinion that I have, especially with the budget going on and a number of other efforts going on. I think it would be very helpful, however, as you said, to work with Mr. Driggs and the city attorney to say where specifically you think these things ought to take place. This is one that I would leave on the list. I just think that we should do it as a whole, but that's just an opinion. Not necessarily [inaudible].

Ms. Johnson said right, but can we have some accountability? I mean, none of us are guaranteed to be here the next term. Can we put it on the staff to follow up on at least the referral that was made in April to follow up on because, you know, we need some consistency that these referrals are again, are resolved and it's been close to a year?

Ms. Eiselt said I was just going to say along those lines of a big city, small town policies, we haven't changed our form of government since the 1970s. So, whether it's the next council, which I suspect it will be, I'd like you to get back to this issue that came up. We had a governance committee that met. We had action items that came out of that were pretty strongly supported by this governance committee regarding four-year terms and additional council districts. The four-year term thing, staggered terms has been an issue I still feel strongly about. I can say I'm not running again. It's not self-serving, but we are a big city and we're running a form of government like a small town, and it's got to change. We've got big issues that we're dealing with. With regards to the UDO, Comprehensive Plan, mapping all of that and whether it's four years staggered terms to give people a time to understand what they're even doing in this job or legislate assistance support for council members so they can get the work done and not be running every other year. It's ridiculous. Now that it's very official. I'm not running. I can say that very strongly. I think I think the council needs some help to come into the modern age. So, thank you.

Mr. Winston said someone said it on day one, is somebody going to say it on day zero?

Ms. Watlington said second Mayor Pro Tem, that was actually something I was going to ask about. I know we talked maybe two months ago about this council. I know we talked two months ago about this council taking these items up before the new council. So, Mr. Driggs, where are we on some of these pending items? Specific to what Mayor Pro tem just discussed.

Mayor Lyles said can I say something about that, Mr. Driggs. If I recall, it was the federal government and the former administration that pushed these things out. Remember, we didn't have maps. We didn't have any knowledge of when we would have districts. We didn't know anything at the time that these things were kind of adding up in terms of referral. I agree with the Mayor Pro Tem. Yes, these are very important things to consider, but I don't think that we had the ability because we had no knowledge about what was. I mean, now we were a little bit more settled. We've done our redistricting, our own. I just

really wonder how much time and the census information took for us to get it to be able to actually consider what's going on. So that's part of the answer, I think.

Ms. Watlington said well, not so much how we got here. I'm fine with that. I just want to understand, I know we talked about the primary being in six weeks, but the general in July. We've got about four months. So, I'm just curious as to where does it look, given that we're talking about it?

Mayor Lyles said I wasn't counting the weeks with the budget discussions, so I was kind of hoping we would get through the budget first and before we took on a lot of these others, but that's up to the council and the workload that the council wants to have during the summer.

Ms. Watlington said right, I understand that and I can appreciate that, but also given the shortened term next time, I do think that puts us right back in the same position that we would have been in now considering that oftentimes come December, people are making announcements for the next term. So again, Mr. Driggs, where are we on these particular items at the bottom because like I say, I think it was last month or maybe the month before that, we discussed going ahead and taking these up in this term. I wanted to know what was the plan for these.

Mr. Driggs said so, on the four-year terms, we did talk in a committee meeting and I talked with the city attorney about the fact that there is a sequence of events, including a referendum. It has to precede any action by the council on that. In fact, there's an option. We could go ahead and try to change the length of our terms by ourselves, but that would be exposed as to the possibility of a petition, 5000 signatures which would require a referendum, or else we could decide in advance that we would go the route of the referendum. So, the city attorney was going to prepare for us and maybe has, and we should be able to offer that. The kind of timeline which will indicate at what point in time we have to have made a decision about whether we're going to pursue the four-year terms and I guess once we know what the lead time is and how that works, we'll also know whether it makes sense for the current council or the next council to follow up on it. It certainly won't be effective until the next council. In that sense, I think it makes sense for the next council to be the ones to decide on that change. I mentioned before, we've just had no input on the subject of the referral, the number of votes needed to refer. I think that's actually a pretty simple matter.

I mean, we can have a short memo from the council as to what our rules of procedure are right now, and that just put the question up for a vote. It's up or down, right? Is it five or six or whatever? I don't know that there are a lot of comparables. Anyway, that that could be brought forward quickly and I don't think it's as important that we do that later rather than sooner and the additional City Council District 2 definitely got buried in the redistricting process. There was no way we could really work on that while we were drawing the maps and everybody else was drawing their maps and we were still processing the census data. So, I say what we can do in the near term, what I can work on in the near term is getting that timeline and basically identifying the period in time during which we would have to act in order for the next available transition to four-year terms to take place. We can get something on the agenda pretty soon for the referrals. Virtual meetings, we already had reached a conclusion on that. We took action on that. We have one issue that was not fully resolved, and that was whether or not members of the council could participate in meetings virtually if they had an illness issue or a family emergency, but otherwise, the intention was that when the state of emergency is lifted, there will be a presumption that council members participate in meetings in person, and we haven't fully decided yet whether there would be an exclusion on those two points. I believe we also have decided that committee meetings can be conducted virtually. So, I think that's the status and I'll get with the City Attorney offline to work out a timeline for getting back to the Council with updates on those.

Ms. Watlington said thank you. I would just offer as it relates to the four-year terms and, I know you went back and corrected it, so I just want to repeat it so we're all clear. We don't need to have a referendum. We do have an option to vote and I don't believe that we

have to wait until we get a timeline to decide whether or not we do want to take action, but I would be interested in what the rest of the colleagues say. I know, again, we've already discussed that once, and I don't know if we can do a show of hands or whatever, but if we've got six and we're interested in and moving forward in a direction, I think it's time to go ahead and do that. As it relates to some of the other items, Councilmember Driggs, thank you for that. I do think there's a couple of these that could be knocked out quickly and I'd like to see us do that as it relates to additional City Council districts. That's another one that I'm looking forward to see what the timeline is, but I don't want us to get caught up in going back to get more information. There's clearly political will here. We've got information from the public to be our governance committee. I think it's time to act. Thanks.

Mr. Driggs said I do feel that on the subject of the four-year terms, there are people on this Council who will not be around to have to be affected by that decision. So, I think the more people that make that vote who will be affected by the decision, the better, and especially given the short timeline until the election, it strikes me that that really is one that we probably should take up with the next council.

Ms. Watlington said she would disagree on that, simply because it's the people are disinterested that should be making the decision. They're not making it selfishly, but again, I would like to see where we are with that.

Ms. Eiselt said I think the other point is anybody who comes on this Council is brand new and has no idea how long it takes to come up to this job and so having three dispassionate council members who aren't coming back, I give more of an unbiased opinion. I just want to point out again that I think 75% of the cities in this state have four-year terms. You know, this is just outdated. If nothing else, our mayor's seat should be a four-year term. There's too much important work to be going for, especially the Mayor, who raises a lot more money. So, whether it's this councilor, next councils, you know, is you all call, I do think that it should be split in it should be two separate votes. Council and the Mayor and city of Boston has two different you know the mayor's two years council's four years, which is odd. But anyway, I'll leave it at that. Thank you.

Mr. Winston said I would like to thank Ms. Eiselt and Ms. Watlington because I agree much with what you said I would disagree with. It doesn't matter if a council member has spent one day in the office or 15 years and is on their way out, every council member has the right and prerogative to make the same choice, regardless of how disinterested they may be or not. And I think that's a dangerous kind of precedent to set as to who has the right to vote on what and when. I think that I think that's a very slippery slope, but to Ms. Eiselt and Ms. Watlington's point, and I'm going to respectfully disagree with the Mayor and Mr. Driggs. I think, Ms. Kelly, we really need to go back to some of the records because we have taken positions on this and this and this Council said that very specifically it should be this council that deals with this issue, because we did commission the committee that reported to this council and this was something, as Ms. Watlington said, through the Council's votes has said we wanted to do, and I think we should go back and really understand what the will of the Council is and not the will of few of us, because I do believe that we have that on the record and it is very clear to that point and we even did consider the issues surrounding the delay of the election, that there were issues in here around governance that were separate, that were running parallel to the ability to hold [inaudible] elections, including that those that eighth district, because that was in the greater context of our ability or our governance structure, that allows us to have 12 members of council, but we are only using 11.

We wanted to talk about whether that was something that we needed to do, what we needed to have our full bed of representatives at the table, and whether or not we should reconstitute the committees. I would even remember when we did took the redistricting votes, that was something that was pending over that entire conversation. So, I do believe that we should spend and be very diligent in these next four months of this term and get this done, because I think, again, I think that's not just my opinion. I think that's what this council has said in the past from a six-vote standpoint, and we should be very clear about that. Thank you. Ms. Kelly, I guess I don't know if we can work. I don't know how we would

scrub all of those because this wasn't just one conversation. This happened over several conversations from once that a Governance committee's report was given to us. It happened in committee conversations and full Council conversations. Thank you.

Mr. Driggs said Mr. Winston, you're saying that there was in fact a vote to the effect that this Council would resolve the issue?

Mr. Winston said yeah, I agree. I think that's what Ms. Watlington and Ms. Eiselt alluded to. When we put it in session, we put it into committee, we said no, this isn't just a to die. We need a workflow on this. This needs to come back to this committee. I think we were thinking that it was going to come back in the spring, right around this time before the budget.

Mayor Lyles said let's just check the record. I don't know if there was a formal vote or a vote just to send it to the committee and to have it come back out, but that's easily found.

Ms. Johnson said yes, thanks, and while we're checking the record, if you could check the record to see when the referral was made and regarding the number of council members to get something on the agenda? I think this whole conversation only confirms the need to have less than six council members to get something on the agenda. You know, we bring things in the interest of our constituents and currently it takes the majority of the council to even discuss something at a council meeting. So, I think it's important that this item be discussed and if it's the will of the Council that there'll be four council members. I mean some and I don't know what you would say Mr. Baker, but it's having the majority to put something on the agenda that almost feels like a vote before the vote. I know that the County Commission doesn't require a majority in order to get something for the members to talk about.

Mayor Lyles said well, Mr. Johnson, I beg to differ a little bit. We're having a conversation right now that's not anywhere close to what's on an agenda. We do have discussions and in fact, we've tried to encourage that in these sessions by reversing the agenda order. So, I think that we really are trying to figure that out. However, I understand also what you're saying.

Ms. Johnson said we can't vote on it if it's not on the agenda.

Mayor Lyles said well, to vote on it on the agenda is to have everybody prepared to vote on it. and there's a rationale for it, but that doesn't really matter, right?

Ms. Johnson said but I'm just saying it has to be on the agenda in order to vote on it, in order to change things. So, we've asked for this. It was referred to the committee and I just like a follow-up. So, if Ms. Kelly, if you can let us know the date that that was referred and Patrick or Lina, there's a rule and I don't have it in front of me about bringing things back from the committee. I think the requester can ask for it to be placed on the agenda. So, if you could just let us know, that would be great. Thank you.

Mr. Driggs said Ms. Johnson said, I'm willing to stipulate that there was a vote and that it was a long time ago. I really don't think we need to put that work on the City Clerk. Yes, it was. There was a vote. It was a long time ago. You're correct and we don't need any further evidence of that. That's just [inaudible] work.

Ms. Johnson said okay. so, then the next step is to put it on the next agenda then?

Mr. Driggs said I'll talk to the City Attorney and we'll get it on the agenda soon. Very soon. I don't know whether that's next week or I can't make that commitment, but we will act on this quickly, yes.

Ms. Johnson said and that's great, but so again, Patrick, if I can get the rule so that it's not up to any chair or any specific council member if we can find out what the process should be. Thank you

Mr. Baker said I will get all of that information for you.

Ms. Johnson said okay.

Mayor Lyles said then that concludes the council committee report out. I think it was a good discussion, a great meeting around what needs to be done and what could move forward.

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ITEM NO. 2: HOUSING TRUST FUND RECOMMENDATIONS

Marcus Jones, City Manager said members of Council, Shawn Heath will come in and give you an update on the Housing Trust Fund recommendations, as you may recall. It's this time of year where we have an opportunity for post nine percent credits and four percent credits, and we'll also have an American Rescue Plan update after that. I think Shawn will tag team that with their CEO, Reenie Askew, and then we have a city code update which will be led by the City Attorney, Patrick Baker. Then we have several closed session items.

Shawn Heath, Special Assistant to The City Manager said thanks for the introduction. With the Housing Trust Fund as Manager Jones referred to, this is our season for an RFP (Request For Proposal) and I know that everybody on the Council is very familiar with the process, very familiar with all of the policies that support the work that we do in the housing trust fund. But we'll spend just a moment to talk about the recent performance with the housing trust fund, a little bit of context around the process, and the timeline associated with the RFP. Then we'll quickly move into the meat of the presentation, which is staff's recommendations for the available, and also talk about the next steps in terms of where we're headed over the next few months.

In terms of the overview. The Housing Trust Fund, of course, is the signature tool for the City of Charlotte in terms of having gap financing that can advance affordable housing developments. As the Manager mentioned, April, as the time frame when we will generally see a mix of four percent and nine percent Lytech deals along with home ownership as well, which you'll see one recommendation this evening related to homeownership and the last two bullet points on this slide make reference to not the most important, but two certainly very important features of your policy framework. One is the emphasis on having at least 20 percent of the units to 30 percent AMI (Area Median Income) households and below. The second is whether it relates to rental projects or homeownership scenarios. All of these deals will have long-term deed restrictions associated with them. This is a bit of context around the trust fund itself, reinforcing some points that I made on February 7th when I was giving a broad overview. So, this is an anniversary year for the Housing Trust Fund. Twenty years ago, since the trust fund started to receive funds that were then put into the community for affordable housing units, you can see some of the metrics that we've shared here over the course of 20 years.

The Housing Trust Fund has created or preserved close to 11,000 units, and close to 900 shelter beds. If you focus your attention on the 2018 and 2020 bonds, where, as we talked about in February, there's so much activity from the council and from the private sector, but from the council in particular around strengthening the policy framework associated with affordable housing and then injecting additional funds into this space. You can see the footnotes here and the numbers on the side showing that since 2018, roughly 4,500 units have been created or preserved, and 194 shelter beds. So, the work of the council to inject additional resources into this space has truly allowed staff to accelerate and scale the work in a meaningful way. As I shared on February 7th, you know, we recognize the size of the challenge that we're faced with. We're not in any way trying to suggest that the mission is accomplished here, but we carry momentum into this work. One important point on the trust front, if you think about the roughly \$200 million that the city has invested into these projects over the last 20 years, we achieve a lot of leverage with this funding so that 200 million is then paired with well over \$1,000,000,000 worth of investments from other sources.

So, that would include that choice from LISC (Local Initiatives Support Corporation), most recently over the last few years. The LIHTC (Low-Income Housing Tax Credit) funding, of course, is of great significance to the four percent and the nine percent deals and then the conventional financing that these developers bring into the equation. What some of you may have seen already in the booklet we provided relates to the 20-year anniversary. I like the way it references the metric where for every dollar that the city has put into the housing trust fund over this period of time, that's been matched by about six to \$7 from other sources. So, you know, hopefully, that's a further demonstration of the city getting a good value for this investment. Just a quick recap on where we are. If you go back to 2018 and 2020 with the \$50 million bonds in both of those cycles, use the \$100 million here as a starting point, so to speak, in row one, as alluded to in the last slide, put a lot of that funding, almost all of that funding to work through allocations and commitments.

You can see the \$90 million there. With the remaining balance as of the end of December 2021 of about \$9.4 million. So that number should look familiar. It's the exact same number that former Housing Director Weidman shared with you in September of 2021. It's the same number that I shared with you on February 7th and moving down here under the Brookhill set aside. The staff's recommendation reflected in tonight's proposals is that now is the appropriate time to release the Brookhill set aside associated with the housing trust fund. So, back in 2020, of course, there were many conversations with the council throughout the calendar year about the Brookhill proposals, culminating in an October of 2020 decision by the council to earmark or set aside \$3 million in hopes that the developer at Lookout ventures could pull together a viable financing plan, a permanent financing plan, and also a suitable affordability period. So, that set aside was put in place with some conditions. As you're aware, there was really no movement. There was no additional traction on that proposal during the calendar year 2021 and then just about a month ago that development has hands from an ownership perspective. So, we are certainly looking forward to having conversations with the new ownership group and Mike Griffin, which we plan to do very soon just to get a sense as their plans are emerging and setting some sense for how they want to move that project forward will be very receptive to finding ways to continue to work with them.

We have projects that are ready now. So, from the staff's point of view, this is a prudent time to consider releasing that set aside. Importantly, because this is about people more than it's about numbers, we continue to be engaged with Brookhill residents as of the end of calendar year 2021, there were roughly 120 occupied apartments at Brookhill. Housing and Neighborhood Services has a community engagement team. Our community engagement team will continue to support Brookhill residents looking for opportunities to help facilitate and refer to partner organizations. We worked with the United Way and UNC-Charlotte late last year to do a community needs assessment and one of the needs that certainly rose to the top was support related to housing, for example. So, that's the sort of thing that we're continuing, trying to find ways to support Brookhill residents as they continue to kind of work through this period of uncertainty. So, with the additional \$3 million that would provide an available balance of \$12.4 million for the housing trust fund at this point.

Moving here, to Evoke Living, which is in District 5. Another nine percent deal. Close to \$2.5 HTF request. You can see the AMI mix there. Total units of 78 continuing to move at warp speed here. A quick recap on the timeline. This is very consistent with the way we've approached the trust fund timeline in the past, releasing the RFP in late January with a submission deadline, of the middle of February date. The Council briefing tonight with Council approval Monday, is more compressed than usual. Typically, you would have more time between the briefing and seeking your approval, but we're dealing with a couple of dynamics here, one of which, of course, is you only have one business meeting in the month of April. Then we also have to keep in mind that there's a May 13th LIHTC application deadline and we want to ensure we're giving developers enough time, that's subsequent to your vote to have all of their materials ready to meet that application deadline. Community participation, no changes here, and this is something you'd be familiar with, but we wanted to reinforce it because it's an important feature in the process, is that developers are required to have at least two community input sessions to share information about the proposed development, to address questions and any concerns

that residents may have. So, that's something that we continue to require. No changes to the Housing Trust Fund evaluation criteria, but it's always worth taking a moment to just reflect on this because this is quite helpful for staff. It's incredibly helpful because this gives us a really firm sense for what are Council's priorities as it relates to bringing projects online in Charlotte.

So, you know, there are a range of factors that we would consider. Every proposal that we receive through the Housing Trust Fund RFP process goes through this process on city policies, affordability period would be an example of something that's of great interest on development strength; we're interested in the number of units we're interested in the Army mix. Developer experience always matters. Financial strength, your of course, accustomed to some of the metrics that we focus on in terms of cost unit and the leverage that we're able to achieve on these deals. Community engagement, which I just referenced, and then the location site score, which is based on the Council Affordable Housing Location guidelines, which is a segue way into the next slide. Here's just a quick snapshot around the location guidelines that were established by the Council in 2019. This really just reinforces for us that while we always care about the number of units, the quantity of affordable housing units always matters to us. The location of the units does as well. The quality of the units matters as well. You can see here the four scoring criteria. No changes to these of course, since your policy was established. This also summarizes the types of proposals where the location guidelines are applicable and those for which they are not applicable. Okay, here's a snapshot on the staff's recommendations for this Housing Trust Fund, RFP. You can see there's a mix of opportunities here, one 4 percent deal, five at the nine percent level one homeownership opportunity.

We have good representation across the city districts; one, two, three, four, and five are reflected across the scope of these deals. You can see here that these recommendations in aggregate would bring roughly 600 additional units online, tying back to a previous slide where I mentioned or alluded to the fact that since 2018, the trust fund has enabled roughly 4700 units. So, an additional 600 that would move us beyond that symbolic threshold of 5000 units since the 2018 bond was passed. I would here just as a reminder, of course, with the 9 percent deals historic with our past practice, we will move the 9 percent deals through these conversations with the council recognizing that four would likely be the maximum number of 9 percent deals that the city of Charlotte would have approved by the North Carolina Housing Finance agencies. Three might be considered a more likely outcome and theoretically could be as few as two. So, we don't know exactly how this plays out. Always the case this time of year that process will move forward through August of this year, but this is our practice in the past in terms of how we frame the 9 percent deals that we may not get all of them. If we don't, that would just create some additional capacity back into the trust fund for the council to evaluate how to move forward. One last thing I mentioned here, which is a difference from previous cycles for this particular round, we don't have a [inaudible] by our side as a partner in terms of the great work that LISC has done in the community with their fundraising efforts a few years ago and all of the funding that they've programmed has enabled or has supported about 15 affordable housing units here in the community. We historically will go through these RFP as partners in terms of the whole application process. I mentioned to you in February LISC is in the process of doing their fundraising in hopes of standing up a [inaudible] round, too. They have a target of raising an additional \$50 million and they hope to close on that by the end of the second quarter.

So, I'm staying in contact with Ralphine Caldwell and the team and we look forward to seeing how that fundraising effort goes for them in hopes of being partners once again in our next RFP cycle. This is just a quick snapshot that shows you for those 600 units, what is the AMI mix looks like between 30 and 80 percent. These percentages, of course, will bounce around a little bit from cycle to cycle. I did peek back at the April of 21 presentations and the September of 21 presentations, and these percentages are fairly consistent with what we experienced last year. So, of course, you would expect the 30 percent AMI and below would have to be at least 20 percent. So, we've got a little bit of margin above that one here. The next few slides provide a real high-level snapshot for each of the recommended proposals and are consistent with the approach we've taken in the last few years with the council on these slides. I'm going to move through this pretty

quickly. We provide you with a booklet that you'll remember from prior cycles. We're going to get that to you by Wednesday of this week.

We know you're working on a little bit of a compressed timeframe. So, instead of waiting until Friday where we're striving to get that ready for you by Wednesday, so you've got a few days with the booklet because the booklet will have a lot more details about each of the recommended proposals, including what you see here as well as some additional information. The first one here is the one 4 percent deal in the mix, and after that, we'll go through the nine percent real quickly. So, you can see Forest Park Apartments here in District Three with ATF's request of \$2.5 million for 200 units. Moving into the slate of the 9 percent deals. Here's North Lake Center apartments in District, HTF (Housing Trust Fund) request of \$500,000 for 78 units, and just as an FYI (For your Information), out of curiosity, I couldn't help but look back at our leverage ratios and our city investment per unit in our last couple RFP cycles, and you see a fair amount of variability from cycle to cycle, but there wasn't anything that really jumped off the page at me that I wanted to highlight for you.

Mallard Creek Seniors, this one is another nine percent deal focused on the senior community. Two point five Million HTF requests at 102 units. Of course, the 9 percent of deals are typically smaller in size than the four percent. Here we've got Marvin Road Apartments, District 1, a \$2.24 million HTF request, and 70 total units. Parkside at Long Creek District 4, \$1.487 HTF request with 57 units. Here's the one homeownership opportunity that we have built into today's recommendations. Thinking back, having homeownership as an option for HTF funds is something that was endorsed and kind of put forward by the council, I believe, in late 2020. We didn't have any homeownership recommendations in the April cycle last year. We did have a couple in the September cycle of 2021. So, you know, still kind of new at this game, but certainly understanding that homeownership is a particular area of interest for council. I think for the homeownership one, what I reinforce here and then also when you review your booklets, this is just a different animal, right? It doesn't necessarily lend itself to an apples-to-apples comparison with all of the previous slides in the rental space. What I mean by that, for example, is if you take a look at the financial summary where we've got the HTF request of 230,000 complemented here by a CDBG r recommendation of \$894,000. So, unlike the rental deals that have potential access to either four percent or nine percent LIHTC, LIHTC is not available for homeownership, but there still is a need for gap funding. So, under homeownership scenarios like this, we're having to evaluate what's the best way to cobble together available resources in order to provide the gap funding necessary for the economics for this sort of a deal to work out.

Now, I will say even with homeownership that on the HTF side, we do have guidelines in terms of the maximum size of an award and also in terms of the city investment per unit related specifically to the HTF piece. Those guidelines in terms of the max amount are different based on the scenario. So, if it's an HTF-only request, the guidelines are at a certain level. If it's an HTF deal with other forms of funding from federal sources such as this, the amount that we could deploy would be a little bit less in terms of the total request as well as the city investment per unit. As I just said, I realize it probably wasn't that helpful without having an illustration in front of us to look at. I just wanted to draw that out. In all instances, we're looking for What are the available fund sources that we have at our discretion to help make these deals possible. One thing in particular that caught my eye about this was an attractive AMI mix. Still have a very small sample size, when you think about the homeownership that we did last year but having some homeowner homeownership opportunities here outside of the 61 to 80 percent range. So, we've got four in the 51 to 60 and seven in the 31 to 50. That was noteworthy. This is a little bit hard possibly for you to see, but this shows you where each of the recommended proposals are on the map. As I mentioned before, we've got good representation across districts, one through five. You know, we're exploring these types of challenges and opportunities through, various mechanisms. We've already talked about leveraging cities on land for affordable housing. Those conversations are separate and distinct from this particular HTF round, but you'll recall there was one deal in District 7 that we're in conversation with now. So, we're doing what we can to try and find opportunities to have affordable housing in opportunity areas across the city. Almost at the end here. This is just a quick recap in

terms of starting with the \$12.4. If we assume councils' comfort, we think with releasing the Brookhill set aside, then there's \$12.4 million available. One four percent deal here is shown and then the aggregate nine percent deals. As I've said before, we won't know until August how many of those nine percent deals are approved by the North Carolina Housing Finance Agency. Then we have the one Habitat Homeownership development opportunity here, which for all intents and purposes, all of those combined would essentially deplete the available balance. From a transparency perspective and an awareness perspective, we did just want to acknowledge that here's the mix of project opportunities that came our way that are not included in our recommended funding proposals tonight. We had signaled in early February, I signaled on February 7th when we were talking about the housing trust fund, that this would be a very competitive round and it was. So, having these here, I know I want to suggest that these were weak proposals. All the proposals we got were certainly intrigued by, and I would suspect that many, if not all of these, frankly, will probably come back at a future cycle and we'll be excited to see them again. So, at this point, I just wanted you to be aware that these were on the list. All of them went through the full evaluation process. I won't go back to the slide, but that's why the evaluation process is helpful because it gives us the most objective way that we have in order to help ensure that with finite resources we can live within our means and deploy the available funding on the projects that that score the highest, so to speak. So hopefully there'll be more to come on these particular opportunities in our next cycle.

Then last, just a reminder on how the process and timeline work from here. So, look into next Monday as the opportunity for Council approval. Then for the four percent and nine percent deals, working with those developers, then working on submittals and approvals by May, and hearing back in August. As I mentioned before, if some of the nine percent recommendations that were shared tonight are not approved, that would bring some capacity back into the housing fund. We've shown a range here just for illustrative purposes. We don't know exactly how much it will be because we don't know exactly which deals they may or may not approve. Just to give you an order of magnitude sense for how it could shake out, there could be a million and a half to three and a half million dollars that becomes available later in the year. If that's the case, staff would assess the situation at that point in time and we would bring you back in a recommendation on what to do with it. Some of the deals that we're not recommending today could be attractive and we could bring those back up for discussion. NOAH (Naturally Occurring Affordable Housing) we're always opportunistically evaluating where the NOAH opportunities are in the marketplace. So, just holding on to the money until the next RFP cycle. There's a whole range of things that could potentially be done that we can only really speculate on as we sit here today. That is the conclusion of the overview, and I'd be happy to answer any questions.

Mr. Jones said thank you, Mayor and members, of Council and Shawn, thank you and the collective team for all the hard work that you have gone through to get us to this point. I will tell you that this reminds me a little bit about the last bond that we had as it relates to the trust fund where we actually oversubscribed and it was a weird place to be in because we depended on a future bond that had not been approved to potentially cover some of the projects. So, I say that because let's hope that LISC will be successful in their raising of funds because this is the first time that we don't have that LISC piece and there were certain things we did try to cap some of our investments at \$2 million and things like that, but it didn't always pan out that way.

So, I would say that there are a lot of opportunities tonight, but also as we start to think about NOAHs and I'll say this to you, Councilmember Winston, I think you started this a few years ago talking about the net loss and not just what we're regaining. It's come to me recently that there's not a lot of folks out in the space that's looking at that the NOAHs to preserve. So, I would just put out to this council as you think about not just this round but future rounds, you know, having that preservation has always been a part of the playbook, if you will, as it relates to housing and having the NOAH's and having the resources to act quickly is extremely important because again, we are losing some of the units that are currently in the ground that are affordable. Then lastly, I'll say a lot of what happens tonight goes back to one of Shawn's, early slides, and that is how Brookhill is

handled because that does create additional capacity to at least fund the recommendations that are before you tonight. So, with that sitting there, I'd turn it back over to the council.

Councilmember Watlington said I have a question in regard to the Brookhill set aside. As you mentioned, Shawn, we've got the needs assessment from a couple of months ago, and we spent some time talking with the Brookhill residents here in the last couple of months, and one of the major needs they'll have is money relocating. Can you talk a little bit more about where we would get those funds to respond to the needs assessment should something happen at Brookhill that we would no longer need this \$3 million?

Mr. Heath said yes, and I think the starting point for us would be looking for opportunities to find partners, because we have partners in the community, you know, some of which I made reference to last week in the discussion around the home ARP funds for housing navigation, for example. So, Housing navigation partners not only help with the search process, but in certain instances have funds available to support transitions in terms of moving expenses, security deposits, and that sort of thing. So, I think first and foremost, that's where we would focus attention coming out of the gates. Through those conversations, there may be opportunities for us to identify are there appropriate ways for us to inject some additional city where we can in order to support and facilitate that effort. I don't think we're at the step yet and we can get there, I think, fairly quickly. Where I would have a specific number, for instance, to suggest to you that certainly in the staff's mind wouldn't be any sort of a one-for-one relationship. I think, you know, the \$3 million was specifically designated as gap funding for, you know, hundreds of units of affordable housing theoretically. If we can find community partners to work with, that would be in a very targeted way. And I think through that process, we can evaluate if and how the city can actually step in as well.

Ms. Watlington said okay, I would definitely want to see that to get comfortable releasing the full \$3 million without having an understanding of what is needed for the Brookhill residents because I certainly understand it's a different bucket, but as it shows up to the people who live there, there were \$3 million in resources that they may have been able to leverage, whether that was specifically through the redevelopment and having affordable housing still at work in their neighborhood and so I just want to make sure that if do have to relocate as a result of any upcoming development, that there is still some assistance that keeps them whole versus where we were before. Obviously, we understand that the previous development through no fault of the city has not come to fruition. But I just want to make sure that we're not left looking for funds to help folks when we know there's a needs assessment. So, to the extent that you can provide that soon, I would really appreciate it. The next question I have or comment rather relates to the locational policy. If you could go back to that slide.

So, the fourth criterion here changes the level of displacement risk indicated by real estate market activity in historically lower-income neighborhoods. Certainly, I can understand why it's included in the locational policy. What I wonder is if there's an opportunity, as we think, to look ahead where we're not paying a premium for properties that are already in rapidly changing neighborhoods. If there's an opportunity to assess where we think we can preserve affordability in other parts of the city. I know we've talked about this a little bit before, but I wanted to pinpoint it here is that if we are already trying to shop in areas that are hot if you will, where paying more than we would have had we been ahead of the path of progress. So, I would like to investigate this one a little bit more, even if it's within the Great Neighborhoods Committee because I think there's an opportunity here to get a little bit out ahead of what we're trying to do now. Does it make sense?

Mr. Heath said yes.

Ms. Watlington said okay, and then finally, as it relates to LIHTC, I know that this is the question I've asked a couple of times, and I don't know if the city attorney's still on the line, but we've got one of our attorneys here. You all have made it clear that LIHTC dollars from the state are only available for rental. I would like to offer up that we potentially

investigate what we need to do to work with the state to request a program that could support home ownership and supplemental funds.

Mr. Heath said if I may, the only comment that I would provide on that and we can build more information and to follow up later this evening is I do believe that the North Carolina Housing Finance Agency has some homeownership programming that separate and distinct from LIHTC, similar to our down payment assistance program, where it's a forgivable loans sort of a scenario, but how communities access those dollars and what our track record is in Charlotte, I'm not sure.

Ms. Watlington said right. So, I'd like to understand beyond the individual homeowner what we can do to help incent builders to create first-sale properties.

Mr. Heath said okay.

Ms. Watlington said thank you.

Councilmember Phipps said I was wondering about the Marvin Road Apartment project. Is that located in Grier Heights?

Mr. Heath said I'm not sure, but I bet the staff member can send me an answer to that in just a minute.

Councilmember Egleston said It's not.

Mr. Heath said thank you.

Mr. Phipps said yes cause I was confused because there is a Marvin Road apartment complex there, so I was wondering if that's the same, you know, general area. So, thank you.

Councilmember Winston said Mr. Manager, I have a couple of questions. Well, number one, is Shawn Heath replacing Pam Weidman for right now in terms of if people have questions or comments about affordable housing, direct them to [inaudible].

Mr. Jones said yes.

Mr. Winston said my question is comments actually have to do deal with the LISC relationship and it's something that I didn't catch. If you had a mention that a couple of months ago pardon me, because I just quoted just now. There was lots of fanfare back in 2018 and 2019 around this partnership. We in the city put a lot of effort into bringing LISC into town and working on a framework to do this work. So, it was kind of disconcerting to hear that they're not part of this round. Some of us on the council are advocating for the increase in the commitment of public dollars toward the housing trust fund and affordable housing. I would just I just heard considerations from the private sector having their commitment at most. So, I believe the community I know I am going to want to have a conversation about the status is of this public-private partnership. It seems that I would think we may want to convene the stakeholders of this public-private partnership. Again, We did these many times in 2018 and 2019. Lots of special meetings with parties and all types of stuff and news conferences and big checks. We should be able to convene those stakeholders to figure out to clarify how or if we are moving together in step on this problem in trying to solve this problem or not. Council and the city has continued to evolve the use of housing trust fund dollars, which continues to increase our leverage rate. I think we've been pretty nimble with it over the past few years in figuring out new ways to disperse this. So, it would seem, I would think that there would bring more opportunities to invest private dollars as well.

But again, it seems like they're trying to raise at most half of what they raised in the past. So, my question is, have our private and corporate partners deprioritized businesses based on their past commitments and where we're at now, but have they deprioritized their investments into affordable housing throughout our community?

mmm

Mr. Jones said so let me take the first shot at that. I do believe, Councilmember Winston, that they're trying to raise another 50, and 50 is the 50 to match the 50 from the last. Mr. Winston said didn't raise \$100 million?

Mr. Jones said they raised around \$50 million, but then there was additional vehicles to help solve this affordable housing issue. So, I would just say that it's almost simultaneous that our 50 is running out, just as their 50 is running out and they're trying to raise another 50. Yes.

Mr. Winston said so, will we say it's lessened? The commitment has lessened; it's grown or remained the same?

Mr. Jones said yeah. I would say that maybe it's good to have Ralphie just come in and brief either a committee or the council because there's a lot more that LISC is doing in the community than just helping us with affordable housing. So, I really would like for her to have an opportunity to talk about what's happened over the course of the last couple of years. I do believe it's been a great partnership.

Mayor Lyles said If I can add, I think that if you've seen the areas that we've focused on, corridors of Opportunities being a holistic approach and that LISC is engaged in that approach as well, and they've adopted that. So, along the Beatties Ford corridor, they're also working. If you remember, one of the debates we had when we brought them on is that they said, well, we do affordable housing, but the place in New York, they had a coffee shop, they had other entrepreneurs and small businesses. I think that they are still working towards their original model. They did a lot for us with the affordable housing, but Ralphine will be much better at explaining, but when we started doing the work over on five points they were full participants.

Mr. Winston said yeah, and this is why said LISC and our private and corporate stakeholders as well because I definitely am. I like LISC and you know, I definitely remember all of the resources they have and not all are being deployed yet or are necessarily even being considered. So, I want to keep that going. Again, my question was really about the commitment of dollars. We're going to think this budget process, we're going to have serious conversations, I think, about whether \$50 million is the right place for this next municipal bond, that is public tax dollars. You know where everybody pays a little bit into it. That was the big impetus for the \$50 million was the private match of dollars to create this public-private partnership and we found a partner in LISC to help facilitate that. So, when the private community went out, they quickly raised instead of \$50 million, \$100 million in the many different vehicles that they could provide. Now that we are having that conversation around public dollars, I would want to have that same conversation with our private partners to increase, not decrease the amount that our dollars get leveraged.

So, that's really where, you know, I want the rubber to hit the road, as one of our colleagues says, around this conversation about, you know, what dollars that we putting on this, not necessarily the capabilities of LISC.

Mr. Jones said I would like to add one more thing. Again, I really think it's best for Ralphine to come in. Part of bringing LISC in is what the list could do on their own. So, I just want to make sure that part of this deal initially was that LISC would bring its own resources to this community. So, think about the first \$50 million after the jumpstart. And so, there is something that LISC also should be bringing into the community that wasn't here beforehand.

Mr. Winston said correctly, but I just want to be clear, LISC and our private partners, because this was a public-private partnership and this is something we talk about. I don't want this public-private partnership to be all fanfare at the beginning and then kind of diminish over time. If anything, need to find ways to broaden this. I'm kind of concerned with the update that I just received from that. Thank you.

Mr. Egleston said I want before we go any further I want to correct an incorrect statement I just made to Mr. Phipps, which is just that conflated with another affordable housing

development that is over in the same area. Mr. Phipps is correct in this particular thing on Marvin Road is in Grier Heights and I missed stated that.

Mayor Lyles said all right. So, Mr. Phipps was correct, as usual. I think that we're going to invite Ralphine to come in and talk about the structure and how it worked.

Mr. Phipps said the Marvin Road Apartment project, is that going to be new construction, or is that a NOAH?

Mr. Heath said yes, it's new construction.

Mr. Phipps said Oh, okay great. We had a meeting last week with the Grier Height community and they were very concerned about the public safety issues around that particular Marvin Road area and the current, I guess, apartments there. So, this is going to be a replacement for that?

Mr. Heath said I'm not aware of it being a replacement. It's something I can follow up with you on, though.

Mr. Phipps said okay. Now, as far as you indicated that the expectation will be that these developments of these projects will happen to have two meetings within a 30-day period.

Mr. Heath said I don't know if it's within the 30-day period, but it's a required part of the process and in fact, I believe we have a deadline of this Wednesday to receive all of the summary reports from the developers as it relates to the two required community input sessions. That's the sort of thing in the booklet that if we can't work it in by Wednesday, I'm not sure how these milestones are going to dovetail together. We could provide some supplemental information in advance of the vote if necessary.

Mr. Phipps said so will there be any real expectations from these community meetings inasmuch as that the ones that we require now, in many instances would have a community meeting that no one would show up? Are we saying that we want to see some attendees at these meetings?

Mr. Heath said I think the requirements are really focused on, of course, having the meetings and following certain protocols in terms of how information regarding the meetings is disseminated via email, mail engaging community-based organizations. So, doing everything that can be done to get the word out, but there isn't a baseline requirement in terms of number of attendees.

Mr. Phipps said okay, so you could have a meeting and the notices and nobody would show up and that would count as a community meeting?

Mr. Heath said yes, I believe so.

Mr. Phipps said I remember I recall attending one of these related types of meetings, and I was the only I mean, representative there. It was no one from the community there. So, I find it interesting that it would not be a high expectation attendance at these types of meetings. Thank you.

Mr. Heath said and just to follow up on one item I couldn't answer before. So, this is not a replacement. It's a construction, but not a replacement. They have had their two required meetings for this particular location. I'll have to follow up if there's any additional information about the level of participation.

Councilmember Graham said thank you, Madam Mayor. A comment and then and then maybe one question. You, Shawn, for the presentation. I think the presentation, as always is fine on point, is targeted and this focus is in terms of how we're utilizing the housing trust dollars over the last 20 years. Certainly, the direction that going with this set of recommendation kind of fits that criterion for sure. The message is to the community based on conversations I've been hearing over the last couple of weeks going around

town, there is no microwave solution to solving the affordable housing crisis, right? Even if we approve those units next week, they won't come online to 18 to 24 months. Eighteen at best right and that's really, really quick. Twenty-four or more at worse. So, that's just where we are, right? Even what we approved last year is still under construction. right. So, there's no quick-fix solution to how we get out of this, and no matter what you hear when you go around town listening, I think it's important that we be truthful and tell the community where we are and what we're doing and the impact that we're making and the impact that we're making is really, really good under the circumstances of a very bad solution, but I hope that we would utilize this 20th anniversary and we talked about this in the past, and I'll rely on the Mayor and the manager to kind of see how we move forward is to really critique the housing crisis process, how dollars are awarded, how we use the dollars, how they can be a lot more creative in using the dollars, how we can expand them. I think that would lead to where, Mr. Councilmember Winston said, I think I am in terms of whether or not we need to increase the dollars right to \$50 million, which supports the housing trust fund. I think we need to double it, right? I don't know, but I think we need to back into a number, right? [inaudible] say Malcolm thinks we need \$100 million or \$150 million, that has to be supported by some facts and figures and some studies.

So, I hope that after we approve this round next week, we really can, Victoria work and talk about how to do we kind of, she will like this, how do we do a swot analysis of the housing trust fund itself. Strength, weakness, opportunity, threats and I always do a small alternative what can we do differently than we've done with the last 20 years, and how do we work our way into a number that makes sense for the community based on community needs and the needs are great. My concerns are we're still not doing enough for 30 percent and below, which is probably the hardest targeted area. I get it. So, if we can kind of take that into consideration when we kind of do this analysis and how we move forward. We're still not doing it under home ownership. I wish there's a way we can use those dollars to really kind of spark plug that as well. We talked about land purchasing, [inaudible] how the city can be a lot more intentional about working with developers on land that we own and land that we buy and facilitate developments, etc. I just think that this time that we've kind of talked about it before. I think the time is now to really begin to answer those tough questions and do an evaluation so that when we're sitting here next year we're looking at some new rules of the game, new guidelines. I think the meaning of what list is really appropriate. So, we can know where and if, and to what extent we can rely on our private partners. I think that's legitimate. We need them at the table for sure. I know they want to be at the table. I don't think it's a desire that they're backpedaling. I just think we just need to let them know where we are and ask them, how they can come and walk along with us. I think that's really important.

Brookhill I think we've got a scenario in place where we're working with the United Way for displacement, if and when that should occur, right? So, and we just gave them a couple of million dollars like a week ago, two weeks ago, something like that.

Mr. Heath said for the home [inaudible] right. Yeah.

Mr. Graham said so, that can kind of help with some of that too, right?

Mr. Heath said well, I mean, to your point, I think Social Serv, for example, I think housing, navigation, you know, we have partners.

Mr. Graham said so, I hear your point, but I think for sure it's appropriate that we kind of make sure that we're all on the same page in terms of if and when that should occur with Mike Griffin and others that we don't forget about the people there and how we help them and who help them and what that community collaboration looks like. So, stand with Councilmember Watlington on that. I am meeting with Mr. Griffin informally to just kind of say, hey, what's up? I think Shawn, is going to be with me as well as Tracy. It's just to kind of say, hey, what's up, right? So, we can kind of know who's on first and who's on second and you, what is his goals and objectives are. And, you know, I've read things in the paper that he said, and I just want to make sure that he can fulfill what he's saying, right? So, and so that's very, very informal. I work with him in the past. I, I trust his judgment, but I think that side is really important. It's always been important and it needs

to be affordable. I mean, that's the thing. Those who live there should have an opportunity to come back there. And so those are the things, Mr. Manager, in terms of if you can kind of just give me a comment if I'm off base in terms of how we move forward after we approve this round, in terms of the kind of taking a look at that process and how we can kind of begin to analyze the good results that we made over the last 20 years, but more importantly, how we can make it better and do more.

Mr. Jones said Mr. Graham, I don't disagree with you at all. I was making some notes, and I think it's going to be what is the priority of this council because even in this discussion we've talked about 30 and below. We've talked about, well we haven't talked about workforce housing yet, but we will whether it's multifamily, homeownership, you know, single know us. When we started off with the, if you will, the playbook in terms of affordable housing, I don't know what the mix was. There's like 41 percent, one category 40 another and I think 19 was preservation. I think that's hopefully as a community, when we start to think about the 2025 plan, which is called, what again, Shawn?

Mr. Heath said home for all.

Mr. Jones said home for all that, it's more than just this body that's focusing on it, but all of our partners and if there are some opportunities for a bit of a more of a focus, a larger focus by some of the bodies in a particular area, I think we may get a better outcome than where we are right now. I totally agree with you. I think it's time to really take a look at what you really want the main focus of these funds to be used for.

Mr. Graham said I think that's really appropriate in terms of the collaboration and of course, you know, we're working on that together with the city, the county, the private community, and addressing the whole spectrum from homelessness all the way to 80 AMI and all points in between. So, I think that that approach works, but I just want to make sure that as a city, we do our due diligence, right and that we kind of take some leadership, as we have done already in terms of the kind of pushing, pulling, cajoling people along with us. That just don't get bogged down in bureaucracy because the issue is really, really complicated and I just hope we just don't get I mean, just don't be pushing papers back and forth. That's my only worry.

Mr. Winston said Mr. Jones, I just wanted to push back on something because I think this Council has been very clear about our priorities around building housing. One, I think the number one priority from the passage of our Comprehensive 2040 Plan has been that we need more housing of all types in the city. I think that is clear and it's not very concise because hundreds and hundreds of pages of documents say in many other different ways. But as for this, this particular fund, I think we have been again, very clear it is to fund as many housing units from 0 to 120 percent of AMI. Traditionally, we have really kind of focused on the 60 to 80 percent. That's when I first came on council, that's where it was really our sweet spot with this. We said, no, we have to find, with the Council has said over and over again, we have to find ways to hit those other places in 0 to 120.

So, we looked at NOAHs and we adopted a policy that allowed for that. We have said, especially since COVID hit, that we need to do more in the 0 to 30 and we have adopted language that has hopefully been very clear that we want to find more opportunities there. During the conference to 2040 planning process, many council members, including Ms. Watlington, was very, very clear that we wanted to start looking at how we create homeownership using the housing trust fund and I think we have adopted language to do that. So, I just want us to be very clear that I hope this is not just my remembrance of it, but this council has been very clear where our priorities are. It might be a bit broad because it's from 0 to 120, but we want to use the full, which is again, one of my concerns about the private portion of this. Are they keeping up with the way we have been so nimble with this fund and how clear we have been and where we want to go with this? It shouldn't be gray at this point in time where our priorities are in terms of housing.

Mr. Jones said I don't disagree, Mr. Councilmember Winston said. I guess what I was saying is that that's exactly what we're doing and if that's what you'd like to continue to do, we will. Is there something that maybe we bring partners in and potentially we focus

more so on one area, not abandoning of them while we bring our partners along and they could focus on maybe another area without abandoning anything?

Councilmember Johnson said Thank you, Mayor. Shawn, can you go back to the map, please?

Mr. Heath said yes.

Ms. Johnson said this time, difficult for me to see and really difficult on this slide, but I like when this is presented, or so the public can see and we can see what districts these are approved in. It looks like and I know you said there weren't any approved in districts six or seven.

Mr. Heath said that's correct. There were no proposals for districts.

Ms. Johnson said no proposals.

Mr. Heath said that's correct.

Ms. Johnson said okay, and I will like to see a table. I'm glancing at this. It looks like two in District 4, help me out here. Two in District 4, and one in District 5.

Mr. Heath said yes, and I know we don't have it summarized on one slide, but each of the recommended development summary slides has the district associated with the proposal.

Ms. Johnson said right, but just from a visual [inaudible] and I would like to see that.

Mr. Heath said understood.

Ms. Johnson said because one of the complaints that we get is that we are building affordable housing in despairing amounts in certain districts.

Mr. Heath said yes.

Ms. Johnson said and this does kind of show that. So, if we can see like a summary, that would be helpful. So, there were seven approved projects. How many were submitted in total?

Mr. Heath said I was going to try to move to a different slide. So, this is the summary of proposals that were received but not recommended for funding, yes. So, you can see one, two, three, four, five distinct proposals.

Ms. Johnson said okay. I don't know. I would just like to compare like the districts and we can talk about why they weren't approved. I also wanted to ask, there is some discussion for city-owned land to be a part of some deals we've talked about. Are those projects considered in this proposal?

Mr. Heath said no, not in this particular one. So going back to February 7th, there were four specific parcels, a city on land that were identified and recommended by staff to move forward and you recall the approach has been a two-step process. So, on that evening we requested permission or we made a recommendation, and then at the subsequent business meeting, you approved basically giving staff the authority to enter into land covalence negotiations on each of those four. When those negotiations are completed, we will need to bring those back to the council seeking your approval of the conveyance documents for each of those four conversations are underway. None of them were submitted as part of this HTF round, but we would certainly expect to see them in a future round.

Ms. Johnson said okay. So, the next proposal. Okay.

Mr. Heath said and ultimately it'll be up to them to decide when they've pulled together their package and it's ready for an HTF request, But it wouldn't be surprising if we saw them in the next round.

Ms. Johnson said okay, I just want to make sure that those numbers or that cap stack wasn't, you know, considered.

Mr. Heath said understood.

Ms. Johnson said okay. One of the things that we've heard from developers who wish to provide more affordable housing is that the permitting fees are so high at the city. You know, I know there's no microwave approach, but that seems something like this council has some authority over his permitting fees, specifically water fees. So, Mr. Jones, I don't know if you've heard that from the community, but can you talk to us about what the process would be to change fees?

Mr. Jones said sure. Thank you, Councilmember Johnson, and I think we had this maybe a question earlier. There are a number of fees from water fees, to some fees that are related to the county, and some fees that are related to the city and we can stack those for you. I'm not sure that outside for some of the fees, outside of the general fund absorbing the cost of it because, we've gone through this exercise once before that maybe there's not a remedy. I know that there are some things that we have done over the course of the last couple of years. So, we'll make sure that we'll show you what we have done. Call it the low-hanging fruit and what are the barriers for some of the other fees?

Ms. Johnson said thank you. Yeah, I'd like to see that and I don't know if that was the previous council. You know, I'd like to see that because we hear that often. If there's anything that we can do as a city to really increase affordable housing, there's a crisis. There's a real crisis. People cannot afford to live here, and it's getting worse. Then when you talk about the 0 to 30 percent, the last number I heard was a deficit of 20 to 30,000. So, if I don't I don't know if we have an updated number, but yeah, there's a crisis. There's a crisis for the 0 to 120, but the 0 to 30 percent there in the hotels, they were in tent cities. So, if there's anything that we as a city can do, you know, lowering permit fees, I think we can afford to do something. I know we have a triple-A rating and all of that and, you know, that's great, but our citizens are hurting. So, I'd like some information on that, please. Thank you.

Mr. Egleston said thank you, Mayor. Yeah, just generally speaking, happy to see these are spread out through most parts of our community and very happy to see, even if it's in a small way for now that we are continuing to prioritize opportunities for people to move into homeownership because we know obviously that's how you build long term intergenerational wealth. I won't repeat the things that have been said multiple times, but one thing, Shawn, if you go back to that map, this is more of a broad thing for maybe the manager to take in, but this appears to be the new council district map. Obviously, from a technical perspective, the new don't go into effect until the next council is sworn in, but I think across all departments we seem to be getting maps, some of which are the old version, some which are the new version. I guess my ask would be that we just come up with a blanket policy across all city departments and that when we are being presented with maps, there'll be something in the key for those maps that says basically indicates whether it's the current map or the future with a date or something. But we need to be looking at the maps from the same perspective every time until the new council is seated and those districts actually go into effect. So, that's kind of a [inaudible].

Mr. Jones said I agree and we'll fix this. Thanks.

Councilmember Driggs said thank you, Mayor. Shawn, just to some of our earlier conversations, my understanding is that LIHTC is, in fact, the federal program that provides tax credits for the construction of rental housing that is [inaudible] restricted. So, if we're going to talk to the state, it would have to be in order to access programs other

than LIHTC, right? The state doesn't have the authority to allow us to make any other use of LIHTC funds than the feds intend.

Mr. Heath said yes, LIHTC is federally funded and state administered. That's correct.

Mr. Driggs said right. Okay. So, that just affects, you know, what our thinking might be in terms of how we fund other sources because one of the problems with going outside of LIHTC is the fact that a substantial amount of federal money that leverages these rental structures, and that's why we've done so much of that. So, whenever we try to diversify away from LIHTC, we are talking about having to have, as we saw in this one example, a 50 percent rate. So, I think LIHTC needs to be a major feature. Not that we shouldn't look for other ways to fund, but I'm just saying when you forgo that federal component, you create a huge burden on yourself in terms of how you get to the same mix of public and private funding. The other thing I wanted to mention was as you go from 60 percent to 30 percent AMI the actual cost per unit roughly quadruples. It doesn't just double. So, we need to be clear that we can aspire to create more than 30 percent units, but there will only be half as many of them because it's just a fact of life that actually it can quadruple. Yeah, it can quadruple and that's my point. The ratio of the AMI is not the ratio of the cost. It's actually if you take 1300 dollars a unit, it takes \$700 to get a 30 percent AMI household into that unit. It takes \$175 to get a 60 percent AMI unit into that unit. So, it is again, not that we can't do it, but I'm just pointing out it's very expensive and you get a quarter of the number of units for the same amount of money when you're targeting 30 percent.

So, I think our goal of having a mix is the right way to go. There are different needs in different tiers. One thing we did see in past study is was it at the 80 percent level, there isn't actually much of a shortage, at least that's what some research showed. Therefore, we should be very focused on the 60 percent and below, but just recognize that trying to get down lower than that can quadruple the cost per unit. The last thing Shaw, questioned, the cost escalation environment right now is really messing up a lot of projects. I was hearing about staggering increases related to Ballantyne Reimagine. So, are these deals that you've just described to us kind of locked in or can there be a situation where because of cost increases, we have to revisit terms?

Mr. Heath said I think and I'll ask for confirmation from staff on answering this, but I think it is consistent with private practice that once we enter into the agreement, we're locked inconsistent with the housing trust fund deals that we've approved over the last few years. Clearly, there is cost pressures right now. You know, we're seeing some evidence of that in the proposals that were put forward here and it's putting the strain on the need for gap funding, no question about it.

Mr. Driggs said but I mean, are the parties with whom we enter into these agreements bound at some point by a number or can we find ourselves in a position where the structure we had in mind proves to be unworkable and then they can come back to us and say, I'm sorry, I need more money or I can't do it.

Mr. Heath said I'll follow up with an answer on that one.

Mr. Driggs said all right, thank you.

Mayor Lyles said this has been a great conversation.

Councilmember Ajmera said thank you, Madam Mayor. So, just a couple of points. One of my colleagues had asked about the land banking and I understand that it is something that we need to work on. I just want to make sure that funding is not coming out of our \$50 million housing bond referendum because the need is today. Even Mr. Graham said this. It takes 18 to 24 months for some of these developments to get completed. So, what pool of funding should we be looking at when we are considering land banking?

Mr. Heath said that we don't currently have any land banking scenarios built into the housing trust fund recommendations. I mean, the housing trust fund can be leveraged for

that purpose, but that's not something that's referenced in our recommendations here. I think that economic Director Dodson has made some references in the corridors that she's doing in direct relation to purchasing land for various purposes, possibly for affordable housing, but there's nothing of direct relevance to these here this evening on that.

Ms. Ajmera said thank you. I think we do need just a separate conversation on land banking and the strategies and tools that we have at our disposal to work to start planning ahead. My next question here is, can you Shawn, could you go back to the slide where you got the criteria?

Ms. Ajmera said So, I know one of my colleagues have raised this earlier, and thank you so much for this 20-year anniversary report that talks about how many units we have been able to build or deliver on to this affordable housing bond referendum and how many units we have done at each am I level 0 to 30, 3 to 60 and above. This is really useful information and it helps us when we talk to the community. It helps us point to specific development that the council had approved or it's in the works right now. So, after reviewing this report, I already knew that we don't have enough affordable housing in all parts of our city, and we have seen that over and over as we are considering more proposals that come in for approval where some of these affordable housing is concentrated in a couple of districts.

I understand that dirt is expensive and it takes a lot more money to build in certain parts of our city. However, if we are truly serious about upward mobility and tackling that issue, we got to consider schools and great in our equation. So, when you look at this criterion, not this site, maybe a slide where you got the access, you got jobs. Yeah, this is it. So, where you got the scoring criteria, I think we got to consider areas with great schools that people can have access to because we are trying to also address the social equity here. I think that's a decision that we as a council have to make knowing that it will cost a lot more money to build in District 6 and District 7 because of the cost of dirt. But if that's something the council wants to tackle and provide options for affordable housing in all parts, we need to add that into one of our criteria. So, I would like to hear from committee Chairwoman Ms. Watlington and her thoughts and if this is something that's being considered or if this is something being discussed.

Ms. Watlington said I'm not sure I totally understand exactly what you want to know.

Ms. Ajmera said okay. So, what I'm trying to get to is when you're looking at the scoring criteria, are looking at all of these four things right, but under access should we consider great schools and should reconsider areas where we don't have access to affordable housing. Specifically in District 6 and District 7. It's clearly reported in this 20-year anniversary presentation, where shows that certain parts of our city where there is very little affordable housing. So, has the committee considered it, I know I had raised this and so did Mr. Graham earlier, it was last year where we had talked about considering providing affordable housing in other parts.

Ms. Watlington said gotcha.

Ms. Ajmera said so, yeah, what I'm trying to understand, are we looking at revising the criteria based on some of this feedback that you have heard today?

Ms. Watlington said sure, so right now, there's not a current referral to the committee to revise the Housing Location policy since 2019. I did remember the last time that I asked the question in regard to what constituted amenities schools were mentioned. However, based on this conversation last night, even just as we talk about how to get the most out of our money in light of the 2040 Plan, I absolutely am open to taking another look at how we can adjust our housing and locational policy to get more in line with what we're saying that our goals are in line, but currently it's not a referral.

Ms. Ajmera said so yes, I would like the Council to consider this. We have mentioned this many, many times, and every time we have an affordable housing proposal in front of us,

mmm

we all talk about how it's just the same area. You know, we don't really have access to affordable housing in certain parts of our city. So, then let's make that referral to the committee so that the committee can do the work and bring it forward and maybe [inaudible] after doing the work where we consider the cost instead of building [inaudible] housing if we might end up only building 1000 units, that's something council ought to consider, but at least we need to have some data. We need to look at what kind of impact it will have on the number of units for us to add that to one of our criteria. We at least have to look at that.

Councilmember Bokhari said let me just start by thanking the staff and particularly Pam Weidman, who's no longer with us but had a big part of this anniversary of 20 years, and everyone who's picked up the work from there. Great job by you guys executing what we've laid out for you to date. I think my comments that would be more broad in that what's on us. The council right now is in a situation where I think we need to recognize that what we're setting out to do, we're not succeeding right now. In fact, we're failing and we've you know, we've spent \$210 million the last two decades, and we've just gotten over 10,000 affordable units in place. In the last five years, a record-breaking, \$100 million was spent just over 4,000 units. Yet we're still at a spot where, depending on how you calculate it, the crisis and it is indeed a crisis is still between 25 and 35,000 units. There are 25 to 35000 more people that live in Charlotte, and there are units that they can afford to live here. So, I just think, you know, we've talked about this for the last five years, and I have mentioned it every year yet I've gone along and supported record-breaking spends. I think this could be the cycle. This needs to be the cycle where we as councils step back here and reevaluate our strategy because you could quadruple the record-breaking amounts we've been spending in the last four years every single year, and we're still only treading water. The numbers are only going up every single year. We're not even calculating [inaudible] loss and things like that every year. So, affordable housing is not the topic. It is not the goal that we're shooting for. It is a tool of one of many towards upward mobility, sustainability, and living in this community and we continue to act and treat it like it's ultimately the goal the outcome. We can't claim victory.

Looking back at these numbers, when we look at the ultimate measures of success. So, whether it's items that have been mentioned tonight, you know, let's get serious about looking at the 30 percent estimated overhead that our zoning and permitting processes add to the cost of housing, that's going to make a bigger dent. If we all got really serious about that, then any amount of money that we continue to throw at it in bonds. The homeownership conversation is a great start and we should have been doing this longer, but again, that's just a tool. We need more focus there. The ultimate answer lies with wraparound services, transportation, and workforce development. It goes back to five years ago when I first joined the council, when I started talking about the difference between vertical organizations inside the city, Mr. Manager, and horizontal, where everyone is tied to an outcome across all departments and I just think this is the point where, you know, we must do something different if we're going to be serious about what the actual objective here is. Sustainable living and upward mobility and if we're contemplating doubling, tripling, quadrupling this money, we're still only treading water and we're doing a disservice to the ultimate outcome necessary. So, my deepest hope right now is that we get serious and start doing things like, you know, not just using third-grade reading levels, determine, you know, what kind of beds we need in our jail facilities. But we start using third-grade reading levels to determine how much we're investing in the workforce that are going to be there and ready and waiting.

Then ultimately, we can get away from affordable housing as it relates to like investing in land. I'll take all comers in District 6 for affordable housing projects and I will champion any of them that make any sense. The problem is they just can't make sense. The land prices are too high and if we want to say, all right, well, 4,000 is what we've done with record-breaking numbers over the last five years, but we'd be willing to do 1,000 in District 6. I'm not allergic to that whatsoever. I just think that's a shame we would that we would allow ourselves to even stop treading water and start sinking. So, I really do hope that we can think of the box right now if we really want to make a difference in this very cycle.

Mayor Lyles said thank you, Mr. Bokhari. As I said, this is a valuable conversation because I believe that we have spent more than an hour talking about something that's recapping what we've been doing for the last 20 years when we really have to start looking at what's going forward and a couple of things I'm going to ask Shawn to add to your plate, and I hope that you will be okay with this and be able to provide it. I think we ought to have the status of all of the projects that we've looked at since 2018 because many of them have had these funds and they've not been able to get the dirt moved I'd like to hear why and is there something that's solvable for it. Well, this has been since 2018, and I agree it is a lot about the costs. The other thing that I like to say is across this country, affordable housing and the Mayor Pro Tem and I've talked about this a lot, if you listen to any expert in this field, it started in 2008 when people stopped building houses at all. So, all of this when they had the housing market crash, things have changed and they just did not or we did not as a country, invest in people having housing and I think Mr. Bokhari is Right. In this respect, we're building housing without the idea of how do we change some of the lives that are in the housing that we have now and that has a lot to do with how the housing authority or INLIVIAN has worked with under the federal policies. You know, I like to agree with Mr. Graham, Mr. Bokhari, and the city manager, that this conversation is way deeper than what we can have on a monthly basis. We started this effort with a housing summit, affordable housing summit that we invited people from across the city to come into a room and talk about what would work best for us and I think it's time to do something different and to do that in a way to hear from the best minds about this thinking and what we could do if it is transportation and better schools, how do we make that happen?

If it's not that and we still have to build housing, I think we'll always have that part of what we have to do, but I have listed here over ten action steps, ten just from this tonight. I've also heard, you know, how we need to change things. It's been said that if we want to do 30 percent, we have to do NOAHs, but yet we want to put people in homeownership. There is a spectrum of choices that we have to make, and somehow we have to land somewhere. So, I'd like to see actually a list of what you consider our housing policies to be. We have jumped so quickly and so fast on the four years that we've been kind of doing it on the fly in good results and in the right way with the best intentions, but maybe that's not what works for us now and for us all to be able to signal what these policies are in a way that's simple, that we can communicate to the public is so very important, but more importantly, this engagement by the public to say and understand how difficult this task is. It is a very difficult task and what tools are best for this community to take place. There's no wrong answer. It's all going to be good things to be done, but if we're going to actually make a step forward, I would say that this effort of getting the right people in the room and having some data and a conversation would make a huge difference and help us prioritize what we're doing and what's important to the community today, not what was in 2018 or 25 when we started or whatever. We've been doing this a while and there are lots of players in it, but the Manager is right. Some players will never want to do under 30. Some People will only want to do, you know, NOAHs and that's a good thing. So, how do we peel back where our partnerships are? How do they get them done? That means we have to them into the room and having this discussion on another night is just not getting us moving in the right direction.

I know that we've talked about a lot of things today and we still have more to talk about tonight, but if we really know and understand the character of our neighborhood is based upon the quality of life for all, we need to go ahead and set aside a date and a time to engage on what we see as our current future. Our future from our current state and affordable housing for this community. I propose that we do that as soon as we can and as soon as possible. We've got the NEST (Nuisance Enforcement Strategy) committee out here working right now. You know, if we stopped evictions, would that be enough? What would that add, if we actually took evictions off of people's records? How many housing units could we save by then if we do less, but don't charge for the general fund, subsidizes permitting? What would that mean? How many housing units would that free up? We've got to build this as a building block and find out what the data is to help us actually change the direction that we're going in. So, I would suggest and agree with the city manager and Mr. Graham and Mr. Bokhari that we should have a housing summit,

that we actually talk about setting the goals for the next five years. So, I hope that we will be able to do that and I hope there's some agreement. I see people nodding their heads.

Mr. Bokhari said I'll just make one recommendation just I think you're in the right direction on this. I think that the problem is when we enter these things, a lot of times we enter within affordable housing only lens and I think maybe we call it sustainable housing, sustainable living in our city, but we don't limit our scope to just saying how can we get more money and get more affordable units at certain percentage levels built, but we activate the economic development department, we activate, the Transportation Department, we activate private sectors and training. That way we can ultimately come at this from all angles, permitting, right, zoning, and the expenses around there. I think it has to be a complete solution. Aside from that point, I think you're pointing in a very good direction.

Mayor Lyles said I can call it whatever it needs to be called because I agree that it is about having people have the ability to have enough of an opportunity to get a decent paying job that they can where we're living. So, that's the ultimate goal. I guess what I'm saying is that we've got to devote the time to get the right people and the right data so that we can make better about this because it isn't going to be easy to change what we're doing. I'm sorry, let me put it this way. I did not say that. Well, what I mean is we can continue to do what we're doing, not get the best result. At the same time, we're going to have to continue what we're doing because people are hurting and they're not being able to live in our city now. So, we've got both tracks to do with. I understand sometimes it's difficult to say, well, we're going to continue this and do something new, but we have no choice on something like this. I was out of the housing. One of the things, I spoke with their housing director, they're putting in \$500 million. Their city is smaller than we are. They're a wealthier city than we are, and \$500 million into housing this year; \$500 million. They do subsidies. They do all kinds of things. That's on top of the \$500 million that they did last year. That is not changing the environment for that is basically keeping people where they are. We do better than that. We change the environment for people. We change people's lives for quality of life and I think that's how we started with that goal. If we keep that goal in mind, I think we'll be in good shape.

Ms. Watlington said just wanted to add one thing to what Councilmember Bokhari said. I think is we're talking about stakeholders and taking a holistic approach; we have to consider the broader region because the fact of the matter is we continue to recruit high-salary jobs here. We've got to think about not only what's within Charlotte city limits, but how does that impact our surrounding communities and what does that mean as it relates to transit? The answer is, hey, we can have so many units in the city of Charlotte, but we need to partner with our surrounding counties to be able to think about how we invest in jobs and residents around those jobs and how do we support our transportation to do so. We've got to have this conversation as a broader region. I think it has to go beyond the city limits.

Mayor Lyles said you're exactly all right.

Ms. Johnson said it's a great discussion and I and I agree with the housing summit or the economic summit, but I wanted to follow up and ask about Ms. Watlington's request or for referral to the committee. Can we move forward to referring that to the committee to take a look at that policy as well as think about the future? We have data and there's been a lot of talk about the needs. So, I think that we can again manage for the present while leading for the future. I think there's a way to do both. So, I agree with you, you know, getting two community partners together and having a meeting for the future. I think that a referral to take a look at our policies would be something that we can do right now. There are some ways to look at our tax credit or this credit or this policy from an equitable position. I was surprised to hear that were not any proposals for districts six or seven, and that's probably because of the cost. So, maybe we're taking a look at incentivizing developers are willing to develop in areas six and seven, maybe lowering those permitting fees or the water fees or something, incentivizing them so that you know, that individuals have access to a better school or different schools and we're looking at it from an

equitable perspective. So, I know there was a request to move this forward to the Great Neighborhoods Committee. I wanted to know what if that was going to happen, Mayor.

Mayor Lyles said I also had the request for land banking, a request on the 30 percent. I have a list of about ten things that people talked about. What I'd like to do is actually talk to the committee chair and figure out what things are most important to get done and be accountable for out of this list of what we've asked them to do. We've also asked for additional data around some things that I don't think that we have right now. You know, like there was a discussion about the policy on Brookhill and the processes and whatever for relocation. So, my suggestion would be and I'm sorry Watlington walked out of the room is to say to the committee, and I believe the vice is here, here are the ten things that I have, and you may have additional ones and please send them to me that were suggested in more detail that you would like to see and let the committee prioritize the things that make the most difference, even with including the nest commission, which we put people on to come back and bring us some of these recommendations as well. That would be my suggestion, Ms. Councilmember Johnson said.

Mr. Graham said I was just going to comment and I'll share with Victoria the conversation that she missed, but I just want to reiterate that I think everyone understands the urgency of now, but I go back to what I said earlier. There's just no quick fix and the Mayor is right in terms of we've got a number of moving parts, focusing on different things to manage it. The manager talked about at home for [inaudible]. We talked about the NEST Commission and we talked about the Housing Trust fund and its 20th anniversary. So, there's a whole lot of moving parts. Bokhari made a couple of great points. I think synergy is what we need to achieve, right and making sure that we understand who's on first and second who's doing what, what our partners are willing to do, and when. We don't want to half our hands tied by waiting, right?

Mayor Lyles said some mapping. We need some mapping.

Mr. Graham said makes a lot of sense.

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ITEM NO. 3: AMERICAN RESCUE PLAN UPDATE

Shawn Heath, Special Assistant to The City Manager said I'll be very brief and then I'm going to turn it over to the expert. Quickly on the American Rescue plan. On December 6th, we had a color-coded sheet of paper which showed for the ARPA (American Rescue Plan Act) phase one installment that was received last year, \$71 Million In May of 2021. We came to an agreement that the best way to move these opportunities forward was to recognize that staff would first ideate and then move into design and then once we had gotten comfortable that we had a design that was ready for council discussion, we'd bring it into the room for feedback and discussion. Then ultimately, the only way that dollars would be spent would be through a council vote. So, we've been working on the digital inclusion recommendation. You'll recall from early on these were just earmarks, but there was a \$10 million earmark associated with digital inclusion. That's 10 million as part of the overall \$71 million. So, Reenie Askew and the team have been hard at work to develop an investment strategy associated with the \$10 million. You'll recall references in the past as it relates to digital inclusion, focusing generically on Internet access, device access, and digital literacy as the three main stools in support of that. So, our Chief Information Officer and head of IT (Information Technology), Reenie Askew is going to provide a great update on the recommendations associated with this investment opportunity and then I'll join for Q&A as needed.

Reenie Askew, Assistant City Manager said thank you, Shawn. Good evening, everyone. Say good morning. I felt like I've been sitting there till morning today. I'd like to just walk through the plan as we planned out, and talked about, we've met with local organizations, city staff, and Councilmember Winston and Councilmember Bokhari also, as we tried to determine what is the best approach to move forward with the digital inclusion efforts with the city. So, the plan has been, you know, really divided into certain

segments. Just to frame it up a little bit. So, some of the statistics from 2019 actually show that there were over 51,000 households without computers or laptops of any kind. So, that's a big number. Then when you look at over 66,000 of our households had no Internet, no broadband at all. So, that is a huge opportunity for us as a city to help bridge that gap and so what we're talking about here and what I'll outline is how we recommend or propose leveraging the \$10 million of ARPA funds over a three-year period to help bridge that gap.

So, same information, just a different lens. So, this map lens is from the North Carolina Broadband Adoption Index, and it's dated from 2019. That's the latest that we have and it's designed to show us, if you look at the pink shading, those are the areas that have low adoption scores. So, the low adoption is not because of the availability of internet access, but because it's available. Ninety-nine percent of Mecklenburg County has access to the Internet, but the ability to afford service and really use the service is lower in those pink-shaded areas. So, that demonstrates the gap that we want to focus on. So, if you look at the gap between the availability of the Internet and then the adoption of the Internet, that's going to be our target and if you think about the Internet as a necessity from a utility perspective, we have the opportunity in front of us to make a difference.

So, who will benefit from this investment? So, when we're talking about digital inclusion, we took a step back and said, okay, who are the various personas, the various types of individuals would benefit from this service. So, you have families and individuals, you have housing and security. So, for those who are displaced and would need access, you have seniors think about staying in place, youth, and of course the general population. So, here we tried to outline if the various individuals and the services and the ways they can use Internet access provided and how we could help in the various efforts, whether it be through advancements in technology, whether it be in training and education. When you look at the adoption of leveraging the digital Navigators program, and I'll talk about all of this as we walk through, but this is just a glance to help you see if we're looking at it by persona, by individual or segment, how people could benefit from access.

So, just take you back to CARES ACT (Coronavirus Aid, Relief, and Economic Security) funding. So, if you remember, you approved the ability for us to use 3.250 funding of CARES to actually implement public Wi-Fi and Wi-Fi to residential neighborhoods back in 2020 to 2021, and through the CARES Act funding, we were able to stand up over 1800 households with broadband access, and that represented 14 multifamily communities, four public spaces, and also some are community centers along the way.

So, the goal here was how do we get access to as many communities as possible with the \$3 million that was available to us, The Digital Navigators program was also an opportunity to say, okay, so you have access, but how do you use it? How do you get connected? Where are the resources available to assist? So, between the Digital Navigators program, which is a program that is offered through Queen's University, and our own 311 resources, we were able to create a framework where our residents can call 311 and get directed to someone who can help them. That was huge and it was just an opportunity for us to build the foundation that we want to build on as we move forward. In addition, we had partners who were also doing very similar things. We had the library who stood up to 800 single-family homes. We had our CATS busses and I believe there were approximately 200 CATS busses outfitted with public Wi-Fi. So, free Wi-Fi, you get on the bus, you can connect to Wi-Fi and be able to do your homework or whatever work while you're on the busses. Also, INLIVIAN implemented 877 wired Internet connections within the community and funded it for one year. So, as we move forward and we talk about how we build upon this foundation, I believe there's an opportunity in front of us to now look at how we support over 18,000 households in phase two.

So, at a glance, I think it's important for us to put side by side what we were able to accomplish with CARES funding compared to what we are to do with the newly available ARPA funding if they are approved. As you can see from the chart here, the foundation of what we're trying to do in the community rest on an Internet connection. So yes, we're also supporting digital literacy and adoption. We're also looking at how we stand up learning labs, but the foundation of what we're trying to implement and the majority of the

funding will go to Internet access and connectivity. I'll talk about this in a little more detail. So, let's go to the next slide, Phase Two. So, when we're talking about expanding Access Charlotte, Phase two of Access Charlotte, phase one we leverage CARES funding, and that allowed us to activate over 1800 homes. Access Charlotte phase two is about \$5.9 million dollars and we're working towards that \$10 million number and I'll show that to you as we go along, but when we're talking about access, focusing on access, we're looking at investing another \$5.9 million in access, a portion of that is supporting what's currently in place.

With CARES funding that satisfied one year of service and we're wanting to make sure that we can continue that perpetually until 2024. That gives an opportunity for us to gain an of learnings. It gives an opportunity for people to identify other ways and other sources and other means to continue those services. Also, the metrics is going to be very valuable to us as we learn more throughout the process. So, here we're looking at again, additional supporting the multifamily homes that are already in place. If you remember from the prior slide, we talked about the library. I think there was about 800 homes. We talked about INLIVIAN. There was another 877 homes, and so those were funded for one year. We're going to pick that up as part of our investment, proposing to pick that up as part of our investment with the ARPA funds.

What is new is the expansion. We're looking at expanding to approximately 8,000 homes and we say approximately because we're leveraging ARPA funds, we need to go bid, and we need to find a provider in that provider can help us identify exactly how many homes we can reach. Based on the estimates we use from phase one, we're looking at about 8,000 households. Through that, we can leverage our partners. So, we've been talking here today about our partner's Dream Key, INLIVIAN. We have our own housing and neighborhood services who helps us to identify where are the best places and opportunities for us to implement public Wi-Fi and Wi-Fi to the home. We're going to continue to leverage those sources. We're also going to continue to leverage our private partners, those private partners that own some of these properties in the qualified communities. Again, as opportunity avails itself, we're going to expand our public space utilization, public space Wi-Fi. Again, we're looking at access as a foundation to everything else.

So, digital literacy and adoption investment is \$1.6 million. So, we have access. We've brought access to the home. We need to help train people, onboard people make sure that there's a campaign for people to understand the services available, the service, what it provides them, how to connect with the community in organizations involved in training and development, education on the safest way to surf the Internet is used as an example. So, what we also want to do, we talked about 8,000 households. We want to stand up with Wi-Fi to the home. We also want to support about 10,000 additional households to get them signed up to the affordable always, always mess up with the name of this because it used to be EB and now it's ACP Affordable Connectivity Program. It's a federal program that will sponsor about \$30 a month for an individual for the next three years to get signed up and have access. So, we're targeting 10,000 homes. What we'd like to do is leverage our community partners to assist with doing that. We're ready as soon as we can get approval, and we're ready to start that process to get people connected. There is a process, there's paperwork, and we're leveraging our partners to help us get that done.

And that's on the digital navigators. We'd also like to determine if there is still community information that we could share. Is an opportunity to develop tools and technology to help people get greater access to some of the services that are available. Then lastly, we have to manage it. So, that's what the contract support is. We have to manage this. This is going to be a lot of solicitations, a lot of administration over the next three years, and we'd like to make we have some support on board to do that. So, we've been talking about the here, the now what's in front of us today, trying to meet the immediate needs, and that's through trying to activate 18,000 residents, 8000 with direct household access, another 10,000 signed up with ACP and get them moving forward, but we also want to be future-minded. We also want to be thinking future-forward, thinking about innovative technology. So, we'd like to earmark \$2.5 million for that effort. So, we would be able to come back

later on after we've identified exactly how that \$2.5 million would be utilized and we'd say, okay, is it going to be for 5G devices?

Is it going to be for mobility and educational programs for residents who desire to go through those programs? How would we leverage the \$2.5 million? But we recognize that there is a clock and we recognize this funding is not available for us forever. So, we want to make these decisions as quickly as possible on what phase three, \$2.5 million will go for, but in support of what we've continued to talk about here, we're going to use it for access, for adoption, and for devices. So, we will continue to do that even with the 2.5, but we want to make the smartest investment with the dollars that's future forward. So, what I've talked about here is, again, staying consistent with the plan as we've outlined it initially, starting with phase one, phase two is standing up additional households.

Phase three is future-forward thinking about emerging technology and how we can get our residents moving forward with emerging technology. As we close, I hope that I've given you an understanding of how we're targeting leveraging that investment. If I remember the process correctly, the presentation is today, but we have to come back later for a vote if I'm understanding the process correctly. Questions next, please.

Mayor Lyles said that's probably the first step in the process. Questions, right? Thank you for this work. I know that the partners we have in this community are ready to support many of these efforts, and your leadership and guidance has been amazing for this kind of effort. What you did with CARES, money, and how we move forward.

Councilmember Johnson said I just wanted to say thank you, Reenie. Great leadership.

Ms. Askew said you're welcome.

Ms. Johnson said I just like saying that.

Councilmember Winston said thank you. I think it's correct. It's only on the agenda for information right now, but I have been making calls along with Mr. Bokhari. I think this is ready to go. This money has been sitting on the sidelines and our people need it. So, with that said, I'd like to ask you for make a motion for unanimous consent to move this process forward.

Mayor Lyles said I think it's just a decision whether or not it would be unanimous tonight to move to vote, yes. all in favor of having the vote tonight. The only question I would have is a public comment where people are to sign up on the agenda to speak to an item for engagement. I don't know if this is something that warrants that or not on Monday, but it's up to you. I just think that would be the question because usually, we have the public comment and things like that, but all in favor, if you would like to approve the vote tonight, just raise your hand.

Mr. Winston said I think it's virtual. So, you would have to go around. I would just make a comment to your point. I agree with your point, but I would just in terms of the ability to have public input, these are issues that have been on the agenda in the past in terms of how we use ARPA dollars. This is a re-up of things that have already been on the public record and staff, we've had enormous amounts of conversations around the process, around ARPA dollars and this is really the staff coming back to us being responsive to the council to say, hey, we appreciate what we were doing, but we need to be able to kind of scrub this more and that's what it has been done. So, I do feel comfortable holding the vote tonight, even given your very legitimate concern. Just wants to put that on the record.

Motion was made by Councilmember Winston, seconded by Councilmember Bokhari, and carried unanimously to hold the vote tonight on Item No. 3, American Rescue Plan Update.

Motion was made by Councilmember Winston, seconded by Councilmember Bokhari, and carried unanimously to approve Item No. 3, American Rescue Plan Update.

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ITEM NO. 4: CITY CODE UPDATE

Patrick Baker, City Attorney said Madam Mayor and members of the Council, these are the ordinances as I've mentioned to you, the attorney's office and the administration have been working on this for several months, going through the code meticulously to identify which of the ordinances that we have should remain with the ability to criminally enforce. You approved a batch of ordinances that your last meeting. There were some questions about these eight and we have provided answers justifications for you. I'm happy to walk you through those answers. I think the answers are all fairly self-explanatory and the staff, by that I mean the administration, folks from CMPD, the Airport, and Housing are, in my understanding, available to answer any further questions that you have on this at this stage from the attorneys perspective, I think we're at the stage where we need to just hand this off to the council. Basically, you have the proposed ordinance changes to make these final eight ordinances enforceable criminally, and again, by criminal enforcement, we're talking about a Class 3 misdemeanor, essentially the lowest level of criminal enforcement that exists in the books. So, I'll take any questions and am happy to read anything into the record that you like.

Mayor Lyles said are there any questions on the city attorney's report. Why don't we just go through them very quickly, and restore criminal enforcement for the remaining sections; aviation, dance halls, public health nuisances, railroads, camping, youth protection, and carnivals?

Councilmember Johnson said last week, I believe when we discussed this, we talked about a slide for the public. Is there any visual presentation tonight?

Mr. Baker said there should be I have a slide in front of me. I don't know if it's been uploaded to the group. That's the PowerPoint that I provided to you all last week.

So, page one is the listing of the actual eight remaining ordinances that have been recommended for criminal enforcement. The continuation of criminal enforcement going forward.

Mayor Lyles said we also have them in our book.

Ms. Johnson said was there going to be a presentation by CMPD about when these will be considered civil and when they would be considered criminal. Thank you. One of the things that we're concerned about and we've talked about is the subjectivity of who or when someone will be charged with a criminal offense versus a civil one. I know we've talked about Mr. Baker, that, you know, if there's another charge, if they're playing loud music while committing another crime, well, there's the crime. I thought there was going to be some more presentation as far as from CMPD about why these charges [inaudible].

Mayor Lyles said sure, he is coming now.

Ms. Johnson said why these charges were selected and is there was any objectivity of when would be considered criminal versus civil. The goal is to take the disparity out of the charges for communities of color. We're just trying to really have some equity and just make sure that is fair and equally distributed. So those are questions. Like what's the justification or when would playing music or loitering about on the railroad property or camping or other prohibited on public property, when would that be criminal versus civil?

Deputy Chief Steven Brochu said well, the officers always have discretion. It just depends on a litany of circumstances that we engage. Some examples of some

circumstances could be the number of times we deal with an individual, the number of times we're out in that particular area, if we get personal complaints or if we get calls for service, repeated calls for service if there's other crimes that occur a result of bringing us out there in the first place, but all these ordinances have been in effect for a long time. They're a tool, so it gives us a reason to engage people. Typically, it's out of voluntary compliance. However, there's, like I said, a litany of circumstances, whether or not someone's actually charged or not.

Ms. Johnson said it's a number of times it is kind of just the officer's discretion, basically, right?

Mr. Brochu said there is a discretion component, but like I said, the methodology an officer would use would be based off of particular issues in that neighborhood. Community concerns engagement with an individual on multiple occasions, compliance, and things like that that they use to formulate some logic behind whether or not enforcement is appropriate. The approach initially is always voluntary compliance. That's what the strategy is in the first place. If that's not achieved, then there's a remedy through legal recourse, which could be up to a misdemeanor charge.

Ms. Johnson said so, when you talk about the methodology, is that in writing somewhere?

Mr. Brochu said that's in our training.

Ms. Johnson said but is it in writing for the public? You know, I just believe that the reason that these ordinances presented an opportunity to change and decriminalize was for an attempt for equity and to remove subjectivity if there were any. Yeah, you know, just for communities of color and just my understanding, some attempt for criminal justice reform. And so, if there's an option for civil versus criminal, I want to know what makes the difference or how will a person know that this is being applied fairly.

Mr. Brochu said the option is voluntary compliance. That's our objective. Our objective is voluntary compliance. The remedy in an application could be up to a misdemeanor. It depends on the compliance we received from the individual that were either called out there or the reason why we're there out there in the first place. Taking objectivity away from the police. There is no exact formula for application. There's a litany of factors that could be placed in why someone's charge. So, that's part of the legal process. It's part of our training. CMPD has always been embraced with trying to be, you know, part of that application of the law is discretion, but also voluntary compliance. We try to get people to comply long before we ever apply a legal standard unless we're compelled to. Those are domestic violence and other types of charges. That state law requires us.

Ms. Johnson said I would and I would like to see if there was something in writing on when this could be, like those things that you just said. If the person did not comply or if they have been called out multiple times, then it can be a criminal offense. I think that that puts some standards and some equitable standards in it to make sure that it's applied fairly. So, that's what I think and I think I know we've talked about that, Patrick. So, I'd I've asked numerous times what's objectivity. If the music is being played loud and another crime is being committed, well then that's the crime, but to have some people can be charged civil and some people can be charged criminally, I just don't want to open up that unfair or disparity in treatment or application. So, I don't know if there are some baselines or some benchmarks that when it would be a criminal versus civil. I think that this choice for it to be civil versus criminal really opens us up to really be careful of the outcome or the charges, and how it's resolved. Thank you.

Councilmember Winston said I think I kind of agree where Mr. Johnson was going. You know, the Deputy Chief, I think rightly said that there are a litany of circumstances that result, you know, in whatever outcome it is, once CMPD is called. I do think there needs to be a particular circumstance needed to kind of criminalize a person under city code It is that action that will make the community safer. I think we know that that's not always the case when we criminalize. I think there are a couple of examples of this in 2012, before the DNC (Democratic Nations Committee) and after Occupy Charlotte movement

occurred, City Council was told that we need to invoke an extraordinary events ordinance because that could be used to keep us safer. Well, that wasn't enforced criminally until Sunday, September 26 of 2016. I was the first person arrested under the Extraordinary Events ordinance. I was detained for about half an hour, maybe 40 minutes on South Graham Street, where the police stopped me even, and I complied with them for a very long time. It's all on Facebook, you can go and check it out. But I was not given those situations to further comply. I was arrested and charged with the possession of a gas mask with the intent to disobey the lawful order of a law enforcement officer in an extraordinary zone. I had several court dates for that. I had to get a lawyer. On one of those court dates my arresting officer told my lawyer that CMPD staff outside, you know, in headquarters had been watching the video. I was walking around on a Sunday by myself at 11:00 in the morning, and they told them to use the extraordinary events ordinance to come and get me because I was a leader in the movement.

That charge was eventually dismissed after several court dates and the City Council in 2017, eventually revoked the entire extraordinary events ordinance part and parcel, because when City Council was able to kind of dive into it, CMPD said it wasn't needed. Chief Putney said this was not something that kept the community safer, and they had other tools to deal with. On top of that, the city attorney believed that there were constitutional concerns, and again, the city council was not able to kind of deal with that until somebody was arrested for that and those concerns came out of it. Now, on the flip side of that, when I was brought on to City Council during last term, we did go through the noise ordinance and we didn't really have a process to be able to kind of scrub these things to deal with the concerns that you had. We created a process and we brought stakeholders to the table and we determined that there was a pretty distinct objective, which continues to allow CMPD, certain levels of subjectivity to apply the statute either civilly or criminally. We were able to kind of go through that. We created that process that we didn't have, but I will go in again to the next step in 2020 after we went through the whole safe Charlotte process, we actually did create a standing committee that allows us to bring stakeholders together to assess whether the decisions that we as city council and other and departmental policies within our organization to determine if these are things that keep us safer and we can get citizens feedback on whether this is something that we should do.

We can take that advisement. So, my suggestion was able to touch base with the City Manager, the City Attorney, and Mr. Eggleston, just briefly. I'm not going to speak for them to what they believe. My suggestion would be just to convene the citizens committee of the Safe Charlotte Committee, get them to kind of give us some feedback to do to ask some of those questions, to interact with the CMPD, the legal, and the other entities that are affected by these civil codes, do it on a timeline and give us those recommendations so we can finally kind of put this thing to bed so we can have that kind of scrutiny through again, processes that this council has created to deal with issues just this. Are we making policy decisions that are actually going to keep our community safer or are they kind of, you know, making sure we're not just taking somebody's word for it and we're able to kind of scrutinize it in the proper way? That would be my suggestion.

Councilmember Phipps said thank you, Mayor. I thought we had a schedule or a matrix that showed that there was a very low volume of citations in arrest, which speaks to me that seems that CMPD is being very reasonable in their restraint and judgment and how they apply these particular circumstances. It's already been said that they seek voluntary compliance in a majority of cases to achieve those ends. So, you know, so I really don't see the need to be prolonging this any longer in my view. Just last week in a community meeting in Grier Heights, we had a captain there and he was very relieved at I guess we reinstituted several of these laws already, and he was looking forward to the ability to be able to reasonably do their job with the passage of these this next eight. So, I don't know that we need any more time to get thrash over this. I haven't seen any egregious. I was shocked at the low volume of arrests and citations that were presented to us in those matrices. I was surprised that they used that much reasonable judgment and restraint to enforce those laws and depend on voluntary compliance. So, with that I mean, I would make a motion that we would go ahead and approve these.

Motion was made by Councilmember Phipps, seconded by Councilmember Bokhari to approve Item No. 4, City Code Update.

Mr. Winston said I mean, is there any further discussion wait to make any further discussion. I'd like to make a substitute motion to put these into the Safe Communities Committee so we can convene this Citizens Safe Charlotte Citizens Committee. I'm sorry, I'm naming it wrong.

Mr. Jones said thanks to the Community Input group.

Mr. Winston said the Community Input group to get a recommendation from them about the action in front of us.

Mayor Lyles said about the actual whether or not tell me what the actions [inaudible].

Mr. Winston said the action in front of us, the recommendations on whether or not to criminalize the aforementioned city codes.

Mayor Lyles said of all of them, including the airport commission, all of the ones that are here, the eight?

Mr. Winston said yes, Mayor Lyles.

Mayor Lyles said I just wanted to make sure we were doing all of them.

Mr. Winston said I will mention that I've spoken to some council members and there is some concern of pulling things apart. I heard a desire to if we're going to look at things, let's look at everything that's on the table.

Substitute Motion was made by Councilmember Winston, seconded by Councilmember Johnson, and carried unanimously to send to SAFE Communities for review by community input group on Item No. 4, City Code Update.

Councilmember Eiselt said thank you, Madam Mayor. I just want to point out to my colleagues that we are restoring measures that were in place before and that never stopped us from picking out certain issues where there was, I don't mean to say perception, but that there was a question as to whether there was unfair treatment and that doesn't stop us from addressing that issue. I think what Mr. Phipps said, is that there's not a lot out there that came out of the reporting that makes it very subjective. I know for a fact there's an issue right now going on in front of the women's clinics again because the protesters who have caused the most trouble are saying that it is no longer legal to criminalize interference with women's reproductive healthcare facilities, which is just not true. The city attorney and I have had a conversation about that today. So, I do feel there's a sense of urgency in getting some of these things back on the books, being clear about it.

I'm not going to support the substitute motion, but that's not to imply at all that there aren't issues that we could absolutely talk about in the future. This is just restoring what was on books, to begin with. They were taken off not by our doing at all. It was the state that did it. So, you know, we could put it back and then have those conversations.

Councilmember Bokhari said I was basically going to say some of the same points, which is this just restores the status quo of before, which allows enforcement of the laws of the land of our internal policies. I don't think what Mr. Winston is saying is an either-or from this, if there is will on this council to explore those policies, to explore those laws more holistically, I think that is a separate topic of which if that gets legs, that that can go in parallel. But right now, this is a totally separate thing that should just be brought forth. If there's no will to do that in other times, there shouldn't be a will to try to hold up just restoring the tools that are at the disposal of enforcing the laws and policies [inaudible].

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Councilmember Eggleston said if it's the will of the Council, I'm certainly happy to take this in the Safe Communities Committee. I would ask that, and I guess I could control it to some degree. I would like us to move quickly on it if that's the direction this goes because I've also spoken with CMPD officers who said we've created some confusion, and have taken some tools out of the toolbox, as have been said. These are things that we're not being used aggressively to criminalize behaviors, but we're at least gave options when things got out of control. Frankly, I'll take a little issue with the idea that anything that doesn't cause a threat to public safety is not a problem. I guess no one actually made that comment. So, I'm not going to accuse anybody of making it. But there is something to be said for the quality of life. I heard from a senior resident in my district just last week that there had been some confusion around the enforceability of the noise ordinance, and they had neighbors throwing a huge party that went in all hours of the night, kept them awake the entirety of the night, and they were scared to go over and say anything to the neighbors or talk to the neighbors about it for fear of retribution or retaliation. So, that might not have been a public safety issue, but it's certainly a quality of life issue and it's certainly something that's the type of thing that our police officers should be equipped to deal with and have all the tools they need at their disposal. I did speak to Mr. Councilmember Winston said earlier. I did say I would support his effort to put this in the Safe Communities Committee. So, I will put it in the substitute motion, but if it fails, I'll also vote to support what's in front of us on the agenda with the original motion but I don't think to the point that I believe, Ms. Eiselt and Mr. Bokhari made, I think even if we put these back into effect tonight, I'm still open minded to if there are certain ones that folks want to unpack and possibly refine or improve. I think that that option is still on the table for us. So, thank you.

Councilmember Graham said thank you, Madam Mayor. I am I agree with Greg and the Mayor Pro Tem, and I'm just not sure if it goes to the committee what we'll be doing once it gets there. I think the legal staff is already taking several deep dives of looking at it. It's this restaurant was kind of already been on the books before. Councilman Eggleston and I was at the meeting last week with CMPD and community leaders, and they all spoke about the need of getting these tools back in there, too quickly, for a number of reasons. I think Councilmember Johnson mentioned earlier about big cities, small towns. These big cities have these tools in their tool chest. It doesn't mean that they're going to use it, but It means that we have to look at what we do very broadly versus very narrowly in terms of these tools. So, I think CMPD on a number of occasions have exercised restraint. Even going back to tent city. No one even talked about even using these tools that were available to us, not even a mention of them. We also do have Fortune 500 companies that have board meetings that occupy Wall Street and political conventions. So, I would rather have these tools and not use them or have the discretion of how they're being used, if at all. I then need them and do not have them at all. So, I vote against a substitute motion and vote to restore them as quickly as possible.

Councilmember Driggs said thank you, Madam Mayor. I think the substitute motion is a solution in search of a problem. CMPD has exercised restraint. There is no basis for us suggesting by the substitute motion that they can't be trusted to use that discretion wisely. I believe that in view of the rise of disorder and crime, we need to back our officers up. These guys have a difficult job and we need to get behind them. There is no history to suggest that entrusting them with that authority leads to any kind of abuse. I mean, in terms of data, not an isolated episode by a councilmember, but the numbers do not suggest that they have abused this. I don't think they deserve to have us question their judgment. We should get with them. I'm going to oppose this.

Ms. Johnson said just for the record, I do support CMPD. I just think this is an opportunity we're looking for process. For example, Chief, the scenario that you talked about, the noise violation, right? If you went out there, first of all, you said you went out there. So, someone went out there multiple times. So, that's a criterion. Multiple times they've gone out. If they refused the order, there's some information there that does not make this potentially subjective. You know, and what I'm thinking of is if there would, and not saying that that you know that all officers are going to do this, but if there is a chance that there's an overzealous officer that would charge someone, they might not otherwise be charged in another area. Well, even if the statistics are low, you know, a criminal record and a

court charge and the attorneys and the criminal record affect each person seriously. So, if we have an opportunity to improve the process, I think that we should take advantage of it. If in that case, Chief, when you went out there for the noise ordinance if that resident didn't comply, is it non-compliance to an officer, isn't that a criminal charge right there, or is it? I don't know.

Mr. Brochu said no, not in that circumstance. No. So, if you're at someone's house and you ask, please turn the music down and they say, no, that's not a state charge.

Ms. Johnson said so, there's no charge for disobeying an officer?

Mr. Brochu said in that circumstance that's correct. If you're in a vehicle or out in the street or in a different circumstance there is, but you gave the example, if it's a noise ordinance and you go to someone's house because we get a neighborhood complaint and the person chooses not to turn the music down that is not resisting, obstruct or delay.

Ms. Johnson said so, the only criminal charge would be the noise ordinance.

Mr. Brochu said that's correct.

Ms. Johnson said so, the only threat to make them comply would be the noise ordinance.

Mr. Brochu said we don't threaten anybody. The only legal remedy.

Ms. Johnson said the only consequence.

Mr. Brochu said the only legal remedy we would have is a city ordinance.

Ms. Johnson said and the only city ordinance that would be applicable at 3:00 in the morning for noise, If you've gone out there multiple times, would be noise.

Mr. Brochu said that's correct.

Ms. Johnson said okay. Thank you

Mr. Winston said again, just some points of clarification. One, we did restore the criminal enforcement of the noise ordinance last week. So, if there is some ambiguity, that's the CMPD or the community has, I think that's an internal issue within the staff that we should fix and be very clear about. This council has been very clear about those things. Two, the recommendation was very clear of not just send it into the committee to figure out what to do, you know, to look for a solution to a problem, for a solution, as one of my colleagues said, but it was to put it to give it to the citizen's committee, the standing committee that this council has created to assess future policy decisions that we should make. So, that we can get the type of stakeholder feedback that we all put somebody on there for so that we are not relying on an individual anecdote of individual council members meeting with some members of CMPD and some people in the community. So, we have a defined process which this council carefully crafted.

I think we should utilize this process when we are dealing with these things. Then on the other hand, let's be very clear, this is not about putting CMPD, saying CMPD is right or wrong, or being on their side or not. This is the greater concern of the government and whether we can move people and take their freedom. When we do have that awesome responsibility, how and why are we going to wield it? Are we going to wield it because we feel like we should be able to move people? Are we determining that there are certain deliverable circumstances that come from moving that person? That is a very awesome responsibility to have and we should consider it. Two other points that I will make. If there's not a law saying that something is illegal, that means it's not illegal, which is why we are taking a look at these codes because there are not laws against these things.

The legislature has not said that these things are illegal. So, again, we have the responsibility to create circumstances that rise to criminality or not. I think, again, we

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should go through the process that we have created for us to understand and get feedback from the community at large to determine whether we take people's rights away. The last point I make, you know, just to the point of I've heard some of my colleagues say, no, these are not things that we want. So, I heard Mr. Graham and Mr. Driggs talk about that we've had certain tools and we just want them to have them know there are certain tools that if we have them and even if they only get enforced four years after they are implemented, they can be very wrong and they cannot be the necessarily the right solution for us have. That is not something that we should just do by default, because that can have incredible impacts on people's lives. Again, we should utilize the process that this committee and this council has created to come to an objective decision. Thank you.

Mayor Lyles said the substitute motion is to send these to the committee that was named by the city manager of citizens for a referral. I will say this. I think that we ought to move forward on this. I also would say that this isn't an either-or situation. It can be a both and we can adopt these and send them to the committee through the Community Safety Committee and have them report back to us because I think that people can read through and look at this and get feedback just like I said on the prior vote. I always would believe that we ought to have citizen engagement and input and we can do this to that group, but we could also put it on the agenda and have people come down on the 11th. So, I'm going to just say that I think that it shouldn't be one or the other. I think we can do both, but this is a that's on the table. The substitute motion is to send it to the committee properly named by the City Manager because I've already forgotten it. So, we'll start with the roll call vote.

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

YEAS: Councilmembers Egleston, Johnson, Watlington, and Winston

NAYS: Councilmembers Driggs, Eiselt, Graham, Newton, and Phipps

Mayor Lyles said again, if the Council does this, we can still have the referral to the committee and as named for the feedback and come back and amend is necessary.

Ms. Watlington said is it possible to adjust the motion. Is it possible to amend the original motion?

Mayor Lyles said no, because Mr. Baker, the substitute motion was made. We have the original motion, which was to adopt the recommendations that are before us. So, we have to vote on the original motion now.

Patrick Baker, City Attorney said yes unless the maker of the motion is willing to accept an amendment, the motion that is in front of you, [inaudible].

Mayor Lyles said Mr. Phipps made the motion. Are you accepting amendments to your motion?

Mr. Phipps said no.

Ms. Johnson said can I ask for a point of order on the substitute motion? Can you remind us why the members that left are not considered a yes?

Mr. Baker said in the virtual meetings, the statute that we have, if you're participating virtually for your vote to be recorded, you have to be online so that the public can hear it. So, you don't have the automatic yes vote that you normally would have when everyone's in the room.

Mr. Winston said there is a law.

Ms. Johnson said can I finish giving clarification? Thank you. So, if they were here and they left the room, if they left the meeting, they're considered a yes?

Mr. Baker said if they were there physically, yes. If they're participating remotely, then no, they have to be on camera so, you can record that.

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

YEAS: Eiselt, Driggs, Eggleston, Graham, Phipps, Newton, Watlington

NAYS: Johnson, Winston

Mayor Lyles said so, there are six yeases and the motion passes, and we'll also do a referral to the Public Safety Community Safety Committee for these to be reviewed by the Citizen Input Committee as well. So, we'll write that up. I'm sorry, Miss Harris, will you help me write that up tomorrow and we'll get it to Mr. Eggleston.

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ITEM NO. 5: CLOSED SESSION

No Closed Session occurred.

ADJOURNMENT

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

The meeting adjourned at 9:09 p.m.


Stephanie C. Kelly, City Clerk, MMC, NCCMC

Length of Meeting: 4 Hours, 3 Minutes
Minutes Completed: June 08, 2023