

The City Council of the City of Charlotte, North Carolina convened for a Business Meeting on Monday, June 28, 2021, at 5:02 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Tariq Bokhari, Ed Driggs, Malcolm Graham, Renee Johnson, Greg Phipps, and Braxton Winston II.

**ABSENT:** Councilmember Dimple Ajmera, Larken Egleston, Julie Eiselt, Victoria Watlington,

**AUN:** Councilmember Matt Newton.

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**Mayor Lyles** welcomed everyone to the June 28, 2021 Business Meeting and said this meeting is being held as a virtual meeting in accordance with all of the laws that we have to follow, especially around an electronic meeting. The requirements also include notice and access that are being met electronically as well. You can view this on our Government Channel, the City's Facebook Page, or the City's YouTube Page.

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### INVOCATION AND PLEDGE

Mayor Vi Lyles gave the Invocation followed by the Pledge of Allegiance to the Flag led by Councilmember Driggs.

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

**Mayor Lyles** said the Council has had an opportunity to read the agenda and if there are questions, which I believe are presented as a copy at your places tonight. If there are consent questions or anyone that did not have a chance to send in their question, Ms. Harris is available to reply, respond, as well address any new questions that the Council has. I will open the floor for the question about or on your agenda sheet.

**Marie Harris, Strategy and Budget** said I just want to make sure and note that Mr. Winston wanted Item No. 34 pulled for a separate vote.

Mayor Lyles said yes, I'm going to do that when we come to a vote on the consent items. So, we will have a separate vote on Item No. 34 and that item is the approval and Purchase of Firearms Munitions, and Accessories from a cooperative contract for our Police Department.

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### ACTION REVIEW

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

**Mayor Lyles** said this Action Review is a time for the staff to provide us with additional information on the major items that we have in our Strategic Plan and our efforts, as well as for the Council Committees to give reports on actions that they have taken. So, tonight I am going to turn it over to the Manager for the agenda on the Transformational Mobility Network update. Then we will go to the Council, Mr. Driggs, who will report on the Budget and Effectiveness and Ad Hoc Arts Committee, then we will go back to the Manager for an American Rescue Plan Act update. There will not be a closed session this evening.

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### **ITEM NO. 3: TRANSFORMATIONAL MOBILITY NETWORK UPDATE**

**Marcus Jones, City Manager** said tonight we will start off with an update for the Transformational Mobility Network. A while ago I guess this had transcended from Charlotte Moves to the Transformational Mobility Network with the concept being that it is not just the City of Charlotte as it relates to transit and transportation projects, but something that could be bigger, not just for the City but for the County, and for the region.

I believe the last time that I spoke with you was to come to you before the end of June to give you an update. We have a good team that is here tonight. We actually have a legislative update from Janet LaBar, who is the present CEO (Chief Executive Officer) for CRBA (Charlotte Regional Business Alliance). I believe Janet, I think the last time you were here you talked about some of the advocacy that the Business Alliance is doing as well as the Managing Principal InfraStrategies financial team, and we have in the room Amanda Vandegrift tonight. Many of you will also remember Carolyn Flowers, who's a part of the team as well as Sharon Green.

I will go to that as I open this up to begin the discussion and then we will turn it over to Janet and her team and then Carolyn and her team. I think it's important to begin by almost skipping to the end. That is, we talked about the Transit Capital cost which I will tell you that with this update tonight the costs are more. It is as we start to think about this, much like we have been able to do with our Capital Investment Plan, having refined numbers is extremely important. Even as we start to talk about the Silver Line tonight, the design is only at 5%, but that is where we are. The team will give you an update.

One of the things that are important and that you will pick up tonight is that where the Charlotte Moves Task Force really assumed a bunch of projects beginning at the same time. That is not going to be the reality. In terms of Federal Funding and capacity, and even where we are on some of the Lines and their design, it will be a timing factor. As these lines are further out the cost escalation does go up. One of the things I do want to say upfront though is that the one-cent covers it all.

We were able to do both, the Transit, both the Transportation. That covers the capital cost, the operating cost, and the financing cost. I do want to talk a little bit about financing costs, which is important. I think that came out last week in an article. I will tell you that the capital number does not include interest payments as we start to talk about the construction costs of the Transit Line. I will tell you that there is no project that we have ever done that includes the financing cost. For instance, a few years ago we built a Police Station. That Police Station cost up to \$26 million. That's the construction cost. By the time you pay for it over 20 years, it balloons to \$35 million, but we don't characterize a Police Station as a \$35 million Police Station because that's the financing cost. I will tell you that it's important again before we begin, is that there has definitely been confusion about cost, and financing, and operation cost. All of those were factored in and the staff starting with me has to have ownership of the confusion around those numbers. So, I want to start off tonight by saying that we could have done a better job with how we presented those numbers.

Tonight we have our consultants coming in using those numbers, using our input, and modeling what this would cost, where we are on the designs. Also more importantly it is just a baseline and we will have up to four additional scenarios that we will present to you in the Fall that could show how we could do this maybe, even more, cost-effectively, may sooner. This is the beginning of that discussion. So, with that said I would like to start the presentation, and I will try to build a bridge from the Charlotte Moves Task Force to the staff work to what we are getting right now from our consultant teams.

So, as we started off with the original charge, and the original charge with the Task Force was really to bring the vision of this network of mobility solutions to fusion. Then it was turned over to the staff to figure out a way to get it done through the legislative process as well as how it could be financed. As we go to numbers that you've seen in the past, the total program cost was estimated to be between \$8 billion and \$12 billion, assuming a 50/50 match from local funds and then State and Federal funds. As we talk through this

tonight you will see that even that assumption was aggressive, because when you start to look at what the match has been for projects across the country, having a 50/50 match was a bit aggressive. Also, I talked about this earlier, the construction period was a little over 10 years with 30 years of financing. Again, that assumed that you would have even the extension to Ballantyne done over that same period of time. As you know we haven't begun the preliminary designs for that.

Also, I think it's important that the revenue estimate for the Taskforce was one cent would give you \$6 billion over 30 years. Even that revenue estimate did not include growth and you will see what growth does to one cent over 30, 40, 50 years. I want to make sure I put this out here tonight is that this is the actual segment that was in the Charlotte Moves Task Force, where it talks about \$8 billion to \$12 billion for the program cost, with \$4 billion to \$6 billion being the local share. With that, it says the program includes design, construction, operation, maintenance, and financing. That didn't so, that is one of those things about how something was put together by the staff and what we produced, but the financing cost wasn't in that number nor will it be in the construction cost that we will talk about a little bit later.

The other thing is that when we start to think about the transit piece and the transportation piece we had about, to start off \$6.8 billion in transit projects, which I'll go through. We were also at \$1.9 billion, that were related to transportation projects. Often time that gets lost in this discussion and that is that this Charlotte Moves was never simply about transit lines. From day one when the sales tax had started to get captured, we have always had the Red Line as a priority in terms of the Transit Lines, but it is much more than the Transit Lines.

So, from the beginning, you could begin construction on projects such as the Bus Priority Corridors, Envision My Ride, the non-transit allocations that were roadways, pedestrian walkability, bike network, as well as greenways. All of those represented the \$1.9 billion which was a network of connectivity for those types of transportation initiatives and not just the transit.

So, you put those two together and the team had estimated about \$10.5 billion for the transit component and the non-transit component. Then with that, there was as you know really rough estimates, so, there became this range. A couple of billion dollars above and a couple of billion-dollars below and these are the projects at that time that were built into the staff's calculations and again those projects with dated numbers also assumed that the projects would begin simultaneously, which we know is not the case.

The Transportation projects, the \$1.9 billion, those projects again are the greenways, the bicycle network, the pedestrian network as well as roadway projects. So, I just wanted to talk a little bit about the construction and what was the thinking at that time, and how the thinking has evolved and become clearer today. The other thing on the revenue side that is important, that when I say there's no growth built into that one-cent sales tax. So, the 1% sales tax for Charlotte Moves Task Force produces \$6.6 billion. In reality, when you add growth to it, over that same 30 year period it is closer to \$13.5 billion. So, on the construction side once again are projects starting simultaneously which is not going to be the case, which will add to the cost of these projects over time. Also, on the revenue side not building growth into the one-cent sales tax gave a smaller number than what is actually going to be captured over those 30 years.

So, I tried to before any of our guests came up to make any presentations deal with the tough issues on the front end. After the Annual Strategy Meeting back in January, we were charged with having a funding and financing strategy as well as the legislative and advocacy strategy. So, with that said I would like to start off by turning it over to Janet so that Janet can talk a little bit about what we have been doing with our partners in terms of legislative coordination and strategy.

**Janet LaBar, President, and CEO Charlotte Regional Business Alliance** said thank you to Manager Jones for that introduction and thank you Mayor and Councilmembers

for your continued partnership with the Charlotte Regional Business Alliance. We appreciate your leadership and commitment to the residence of Queen City.

**Councilmember Newton arrived at 5:20 p.m.**

I also just want to say what a pleasure it is to work with a very talented team of the City staff in so many different ways and on so many different levels between the Alliance and the City of Charlotte. One more shout-out, I want to congratulate Councilmember Ajmera and her husband on welcoming baby Charlotte to our community's newest residence.

So, last year I was appointed by Mayor Lyles to serve on the Charlotte Move Task Force and that was work, as Manager Jones just mentioned, was fundamental in creating a bold vision for a new mobility feature for Charlotte and the entire region. Under the leadership of former Mayor Gantt, the Task Force recommended a Transformational Mobility Network to support Mayor Lyles's vision for creating access to opportunity, championing economic competitiveness, and enhancing the quality of life that Charlotteans and many more across our region have come to know and love. Our Community has so much to offer and as growth continues and companies and talents chose where they want to be, we know that a world-class connected transit network will add to our quality of life and help differentiate us from our peer markets.

As the only economic development organization that grows the economy through business recruitment for the City and the entire 15 county Charlotte region, we at the Alliance are committed to advancing the most vibrant, innovative, healthy, and inclusive regional economy in the country. Similarly, as the voice of business advocating for economic policies that create a positive nationally recognized business climate and stimulate growth and investment for our Metro Area The Alliance supports transportation and infrastructure investments that will drive our long-term economic competitiveness goals. This Council has worked incredibly hard over the last few months to address issues of affordable housing, job creation, and equity and access and the reality is that all of these vital plans are interdependent on transportation and infrastructure.

Investing in the City's and region's infrastructure will help businesses in moving people and products as well as address the critical need to improve the economic mobility for residence in our community. This evening I'm here to share with you an update of the Alliance's work which builds on the foundation that was laid by the Charlotte Moves task Force. We are championing the Transportation Mobility Network or TMN is which we call it. Our approach is comprehensive it is data-hearing and thoughtful. We are very proud to be engaging City, County, and regional leaders in our process. Through private-sector funding, the Alliance has engaged a very robust and experienced bipartisan consultant team comprised of firms and individuals who have garnered the respect of leadership on both sides of the aisle. That team includes the Charleston Group next to strategies, Strategic Partner solutions, The Stuart Group, Zooberg LLC, and Moore and Van Allen.

We anticipate that this project will be the largest economic development of its kind in the state's history. Given this, we have the responsibility to conduct due diligence to ensure TMN creates the right solutions to manage and drive the equitable growth of our region. The coordination of an effort of this magnitude is complex and it is layered. Our team of experts is working incredibly hard to help us understand how the region will benefit from TMN in Mecklenburg Count by listening to the residence, businesses, and leaders, getting input on how we best address future growth. To help us execute this data collection process we have partnered with more subject matter experts at the Institution for Transportation Research Education or ITRE at NC State University and UNC Charlotte Urban Institute on an economic impact survey or EIS.

The work of the EIS begins in May and we expect to have the results of this later on this summer. The results will help us to identify why this investment is critical to our future as we grow and thrive as well as the potential consequences for the region if we don't create and implement a TMN that allows for smart, effective, and inclusive regional growth. So, to date, and these are hot off the presses here, the research team has conducted 36 focus groups with 83 different key regional influencers from across the Charlotte Region.

These interviews have included Town Mayors, Town Managers, transportation stakeholders, employers, and business leaders all across Mecklenburg County as well as our adjacent Counties. The conversations we are having will inform a project list specific to Mecklenburg County, but that will have a benefit spill-over effect into other counties. With this data, we are going to analyze the potential economic influence of these projects within the County as well as for 15 counties across the Bi-State region.

Our goal really is to inform and unite the region around this initiative because we understand how valuable this would be both for our residence and our business community. I just want to acknowledge our partners at the Centralina Regional Council and their important work with Connectbeyond. You might recall that Geraldine Gardner also sat on the Charlotte Moves Task Force. What they are working on with Connectbeyond, it's the first regional effort to create a single coordinated transit system that includes multiple transit modes.

So, among the Alliance team, the City's Team, Centralina, and our consultants we are all staying coordinated, we are communicating regularly given our shared goal of understanding that what we can do now to make living, working, playing in our beautiful City and Region will be the best it can't be and simultaneously lay the foundation for our future so, in 20-30 years from now and beyond people will say that we got this right. So, as I indicated earlier our state has never seen an economic development project of this scale and as the City of Charlotte's leaders you can have confidence that there is passion, there's energy, there is expertise for building on the Charlotte Moves Taskforce report that we have a powerhouse team of experts driving this. Again, we expect to see the completion of the EIS later this summer. Those results will inform our legislative strategy aimed at letting the voters decide Charlotte's future.

So, we look forward to coming back before you and sharing those results so we can make informed decisions around how this transformative project will in fact create sustainable, equitable, and connected solutions for a region. Thank you for your time this evening. Again, thank you so much for your leadership in the City. I am happy to answer any questions that you have about our work.

Mr. Jones said next we will talk a little bit about the financial team that we've put together. I like what Janet mentioned that this is and we started discussing this as a Transit Project and then a Transit and Transportation Project. It was also an economic development opportunity for not just the City and County but the Region. So, as we started to, I guess the best words, to struggled with trying to pull all of this together we realized having some additional eyes to look at what we were doing, the analysis was extremely important. So, we pulled in InfraStrategies. I will tell you just a little bit about the team. So, Carolyn Flowers as I mentioned before is the Managing Principal with InfraStrategies and she's the former FTA Acting Administrator and Agency CEO, and I think she spent a little time in Charlotte too.

Mayor Lyles said just a little.

Mr. Jones said we also have Sharon Greene who is a nationally recognized expert with over four decades of Transit Finance advisory experience and live and in-person we have Amanda Vandergrift who is a Principal Consultant and Senior Financial Advisor for major Transportation Projects across the Country.

**Amanda Vandegrift, Principal Consultant InfraStrategies LLC** said I will directly turn it over to Carolyn and she is virtual here. She will be speaking through the first few slides.

**Carolyn Flowers, Managing Principal InfraStrategies LLC** said the Charlotte Moves plan was predicated on a 50% funding partnership contribution for Transit Capital Projects. We developed a baseline financial plan that focuses on the Transit Capital element which is the dominant portion of the Plan. Our next update will be to give you a more full robust review of the non-transit assumptions. So, our approach to reviewing the financial plan was to structure an independent model looking through the lens of federal requirements, developing a plan with elements and assumptions that reflect the best

practices required by the Federal Transit Administration who would be the partner for the federal funds for this major transit projects.

Why now? So infrastructure, equity, and climate change are three of the highest priorities of the current administration and the Charlotte Moves Plan can be responsive to all of these policy priorities. There is potential for more funding for infrastructure projects over the next five years. If transportation reauthorization is moving forward this week, the US House of Representatives will consider HR-3684, The invest in America Act. This bill provides \$109 billion for public transit investment. Last week President Biden and a bipartisan group of Senators announced an agreement on a bipartisan infrastructure framework, which is a compromise on the infrastructure portion of the American Jobs Plan.

The framework includes \$579 billion in new spending for infrastructure, which includes \$49 billion for public transit, \$7.5 billion for electric busses for transit, and \$66 billion for passenger and freight rail. So, if local funding commitments are gained to match a grant, it will demonstrate that Charlotte can be ready to position projects to enter the Federal Capital Investment pipeline. The Capital Investment Grant Process is a competitive process. Other markets are moving forward with a sales and property tax initiatives to provide locale share matches. Examples are San Antonio, Austin, Jacksonville, and the possibility of Nashville and Las Vegas.

The Federal Capital Investment Grant Program, as I indicated earlier, is a key assumption in the TMN Plan and is a financial model that we are sharing today, includes the Federal Grant funding contribution to the plan. The Federal Investment Program that is administered by FTA is a multistep, multiyear program that must be followed to receive funds. FTA evaluates and rates projects based on statutory criteria. It can take on an average of five to 10 years or more once you get into the project development process and demonstrate project readiness for that criteria to be met. As Manager Jones said earlier, although the transportation lot limits New Starts Projects to a maximum share of 60%, recent Capital Investment Grants awards have been between 35% and 50% with the highest cost mega projects receiving grants at the lower end of this range.

So, FTA is characterizing that there is a stress on funding levels with a high number of projects and administration policies regarding the grant program by the prior administration have contributed to lower award levels. So, the financial model assumptions were adjusted to reflect these trends. For the Small Starts Program which are grants less than \$300 million, those projects have a payout of 80% for a maximum amount of \$100 million in value. So, the percentage of federal contribution is higher, but that assumption has also been adjusted for the financial model. This is basically BRT (Bus Rapid Transit) and sometimes streetcar projects.

In addition to the Federal Capital Investment Program, there are other funding opportunities that will be under consideration for the City and CATS for eligible projects. So, the assumption and the model assume a grant strategy to pursue some of these other federal sources to support the Capital program. These were included in the model to supplement the federal funds. So, refining the program, the model reflects the federal lens as I said for developing the financial plan. It incorporates the Federal Transit Administration's guideline for cost escalation which are currently 3.5% annual. FTA monitors escalation and adjusts accordingly.

Also incorporated in here are recent updates to cost estimates on the Silver, Red, and Gold Line projects and we also assume that to meet the 2030 timeline for all projects this would not happen and so the projects would not start at the same time because FTA has never had one sponsor with multiple projects awarded at the same time. They do access the readiness and capacity to manage the fund and deliver the projects so the model phased are a capital project over a longer horizon for timing and eligibility for awards in the FTA process and it reflects receiving funding that manages the cash flow and addresses the local market delivery capacity.

The model also includes a review of the FTA awards and it applies a programmatic assumption for Federal Grant participation based on historical trends. We also applied a 4.4% growth factor based on historical trends of the current sales tax to escalate the base sale one-cent revenue assumption of \$6.6 billion from the Charlotte Moves Program to a level of receipts that have been escalated over the period of the plan. We assume that the proposed one-cent sales receipt would be allocated 90% to the Transit Program and the remaining 10% to transportation-related initiatives such as roadway, pedestrian, active transportation, and greenway projects.

What we know today is the projects are still in the planning and preliminary design stages and the cost estimates and the model reflect the most recent information from the projects teams and we know that they will change as the updated design and as they proceed further. The Federal funding amount is based on a recent average award by FTA, but future policies and funding could affect the percentage of federal participation. Especially if we get, Know the American Jobs Plan and higher levels of authorization. The sales tax revenue estimates have several variables based on how the initiative is structured and that could impact the projected revenue forecast.

This is a snapshot in time. We want to emphasize that the financial model is structured to be dynamic. It is important as we consider the funding needs and plans for the program that we understand that the financial model and the forecast will change. The model was developed on dependent variables and assumptions that we know now. So, today we're presenting the framework for a baseline for transit to start and we are contracted to provide four additional scenarios which we can develop based on your input from this meeting today. For example, we can adjust the amount of the sales tax. We can adjust the phases of the projects. We can increase escalation based on inflation, or we can add other funding sources if they are committed and viable to meet the FTA criteria.

So, not I'm going to turn it over to my colleague Amanda Vandegrift to go over the model in more detail.

**Amanda Vandegrift, Principal Consultant InfraStrategies, LLC** said as Carolyn put it, this is a snapshot in time. We going to show you one of many scenarios that could happen with the TMN using this financial model as a tool. The financial model uses a set of inputs on the cost and revenue side making assumptions that we have vetted as conservative. So, your costs are refinements as you have today in preliminary planning and design. We have a cost escalation as Carolyn mentioned of 3.5%. It may be lower it may be higher. We're assuming certain project phasing which I will show you in a moment. If that changes, your cost change because it's reported in the year that the expenditures are assumed.

Then you O&M (Operations and Maintenance) Cost are preliminary at this point. They will change in the future. We will run those through the model. We are making some assumptions on growth over time of 2% and 3% to get those cost into your expenditure dollars. On the revenue side, we are making some assumptions on the Capital Investment Grant Funding based on the numbers Carolyn presented to you. We are assuming conservative shares for each of the projects that are eligible. We are assuming \$300 million would be a target for other funding sources through the Federal Government and then on the local side we are making several different assumptions including what your authority will be for your sales tax, the rate which we are assuming is one cent. The revenue collections will begin in 2023. It's a Countywide tax. We are allocating a portion to non-transit needs and we have a growth rate that is a key driver of 4.4% of those revenues over time.

Finally, another key driver is financing. Right now we are assuming at this point that financing interest rates would be 4% and you'd issue your debt each year for a 30 year repayment period. All of those inputs are key drivers to what you are getting out of the mode. Every Scenario we run for you will be different based on those changes. So, the one scenario we are showing you today is what we are calling the baseline. We are trying to make every assumption in the input tab as conservative as possible so we can see generally what is doable on the output. One of the biggest outputs we get from the model

is your estimated annual cash flow needs over time. You also can develop a Capital Investment Grant Program strategy so you can maximize your CIG (Capital Investment Grant) funds over the full program. Also a strategy for receiving your other federal discretionary grants even over the next three years of what's happening over the federal level.

Finally, your financing strategy if there is a funding gap, what is it and how can we fill it? This scenario I'm showing you has no funding gap and it assumes all of the Transit Projects are fully funded with the assumptions we are making. Your baseline phasing assumptions as I mentioned, is a key driver. So, if you shift a project back or forward the cost that I am reporting to you today will change. Because each year we are adding an inflationary factor of 3.5%. So, today we are showing you the total cost.

**Councilmember Driggs** said I can't read that.

**Denada Jackson, Constituent Services Division Manager** said the copies are on the way.

Mayor Lyles said it was also emailed.

Ms. Jackson said and it should be in our Legislature.

Mr. Driggs said I didn't see it.

Ms. Jackson said I will work on it.

Mr. Driggs said I will say it is very hard to do justice to something like this in a meeting like this. In order to be able to be thoughtful about this, we have to probably have a workshop or something and spend some time. I just don't know how to interpret this information. We've got a 3.5% escalation on cost. We've got a 4% escalation on sales tax. The Federal Government is limiting or may or may not provide. It's hard to synthesize what we have just heard into some sort of understanding of what the trade-offs are or what we are that we are dealing with. I don't know whether we are going to get there in terms of having this group at this meeting really be thoughtful about this.

Mr. Jones said Councilmember Driggs that isn't the thought process that everything is resolved tonight. It was just getting the information in front of you tonight to begin the discussion.

Mr. Driggs said maybe my problem is I've worked on too many of these models. So, I am already a step ahead. We are going to have to spend time, not in 20-minute segments and not sort of without prior notice and advance circulation is given the opportunity to kind of look at this. At the end of the day what we are looking for is a scenario like that where all of the pieces sorts of fit and we can see what it takes to make them fit.

I have to say I am happy that at last, we are having this conversation after spending a year wondering why we were not being more thoughtful about finances and about recruiting our partners. This is a bit of a rush right now.

Mr. Jones said Mr. Driggs I disagree with you. A month ago I put in the 30-day memo that we would be having this discussion. No one is asking for any resolution tonight. It was a commitment to get this in front of you before you went on the break. That's what we are doing tonight.

Mr. Driggs said colleagues I'll just tell you knowing how models work you could get any conclusion you want from this. It's very hard. It is not this easy. I do want to say Hello to Ms. Flowers. It's so good to see you again.

Ms. Flowers said thank you, Councilmember Driggs.



Mr. Driggs said fine, let's hear the rest of what we are going to hear tonight. I just hope that we will slow this down and not do in a different fashion what we did the first time. Which is go sailing through this with no one on Council really understanding what it is we are signing up for. We have an obligation to be able to explain what we are signing up for and it's big. It's huge and we went for a long time really sort of brushing off the whole idea of the cost and not really paying enough attention to who our partners were going to be and now we are doing the right thing. Which I do appreciate but I just hope that we will do it this time a little more slowly and in a way that includes all of us on the Council.

Mr. Jones said Councilmember Driggs I don't disagree before I turn it back over to Amanda. That's exactly what we are doing. We are giving you the inputs that we have. We are telling you how much the cost has escalated. We're going project by project in here tonight. Again, not for an answer from Council but to do exactly what you said. So, I appreciate that you like what we are giving you tonight, but it is not about having an answer tonight from the council.

Ms. Vandegrift said the baseline fees and assumptions that we are making in this baseline scenario that we are showing you today include in 2023 as I mentioned that when our collections would begin in a potential one percent increase of the sales tax. That year you would have the ability to begin work on your Bus Priority Corridors, your Envision My Ride, and all of your non-transit allocation funds would begin flowing. So, on day one in 2023, you would be able to start having construction on these activities. While that is going on you would advance pre-project development activities for your Bus Rapid Transit Project I-77 which would then go into construction again assuming in 2029 in this baseline scenario.

Afterward, all of your other transit projects which takes, as Carolyn mentioned, a while to get through the Capital Investment Program and through Project Planning, Design, and Engineering. Those would begin phasing through with your first rail project, the Red Line opening 2031. Phase three of your Gold Line Project with an open following that in 2033. Then we would have Silver Line which is phased in two phases, A and B. Those would open in 2037 and 2040, and finally, your Lynx Blue Line Extension, and your core capacity improvements to the Blue Line would open in the final year in 2041. So, this is an 18-year construction timeframe, which is compared to the 10 years we were looking at in Charlotte Moves.

As I mentioned also the 1% sales tax in this model assumes that we are going to have a split goal to transit and we will have a split going to non-transit. Under this scenario that percentage was chosen to make sure our transit projects were fully funded and that 18 years build-out. So, we don't have a funding gap. Everything is funded through the sales tax and assumed financing through the sales tax in that 18 year period. A 10% allocation annually, which would grow with inflation would be going to the roadway network, pedestrian walkability, bicycle network, and greenway systems on a countywide basis.

I also mentioned on the transit side it would flow operating cost which we're assuming operating cost with a preliminary estimate for all of those transit projects will be funded first, then your debt service payments, and then your transit-capital cost on that 90%. So, that covers everything. So, preliminary revenue estimate with growth. We are assuming a 4.4% growth rate. Historically you have seen about 7.7% in recent years in Mecklenburg County. So, 4.4% was the lowest you saw recently and that happened in the fiscal year 2017. So, we took that assumption so we could be as conservative as possible. You are likely to see higher growth, but we won't know until we're there.

So, one other thing that we added in for conservativeness is a three-year COVID (mild to severe respiratory infection caused by the coronavirus) recovery period. So, we started with the fiscal year 2020 number, so that already has a COVID impacted baked into it. We then took that and only grew it for three years assuming you are going to recover until 2023 from COVID. That is just an assumption that may be lower or higher. So, that is already baked in as a conservative assumption. So, one cent countywide increase on the sales tax. Ten percent of it goes to non-transit projects. As I mentioned we cover the non-

transit allocation first off of the top, and then the O&M cost and then your debt service payments, and then your capital cost.

The full build out you can see on the right here; 2029 you have the BRT project opening, 2033, 2037, 2040, and then 2041 you have full build-out of your Transit Program by 2041. So, that is really in the cash flow. That's your crunch point on how much you need annually from your sales tax to be able to build the program on an 18-year construction timeline. After that you make repayment. You have long-term O&M costs associated with it. Your final repayment in this baseline scenario is in 2070. Those are using all of the assumptions I used earlier, which can and will change in the future as we get further along. So, key changes as Carolyn mentioned earlier from our initial transit estimates through the Charlotte Moves Plan, we had the \$8 billion to \$12 billion. Now, we are looking at a total cost including several different things that we added in since then. Things that have happened since the Charlotte Moves Task Force report was published. We have a new Gold Line phase three capital cost, we have new Red Line cost estimate refinements, and we have a new Silver Line cost estimate. So that is expected we are going to see new cost estimates as they advance further along into planning and design. So, we've incorporated those into this updated number. We've incorporated a conservative 3.5% growth rate. We've incorporated as well that 18-year segmentation and phasing timeframe where we build out all the way to 2041. So, with all of those changes, we're looking at a total transit capital cost of \$11.6 billion just to put that into perspective in today's dollars because that has escalation and a lot of escalation in it. That's \$7.3 billion in today's dollars. So, a lot of escalation is involved in that because it's an 18-year timeframe.

So, to align with the numbers Carolyn presented earlier, our model assumes that all of the projects that are mega projects. So, over \$3 billion which is under your current model is only one of one phase of the Silver Line. That's going to be matched at 35% in our model. We make it higher than that but we are being conservative 35% based on historical awards for projects of that cost. All of the other projects under \$3 billion if the rail we matched them at 40% which aligns with recent awards for rail projects. If they are BRT which there are none in your program with new starts, that would be 50%. The only project in the program that is a small starts project is the I-77 BRT Corridor. It's under the \$300 million threshold. That we assume would receive the \$100 million max grant. So, on the timeframe, I showed you because we spaced it out. Now you have a segmentation that is a little more reasonable in terms of what we'd assume would be available through the capacity of the federal program.

So, we have the first BRT projects, we will go through the small starts program and open in 2029. You'd have Red Line going through the program, then Gold Line would enter then, Silver Line would enter, then the second phase of Silver Line would enter, then you'd have the Blue Line entering. So, it's sequentially gone through the program which is what we've seen in other regions who have advanced similar programs of projects.

The Transit Capital Program so that \$11.6 billion in our baseline scenario we are assuming that you would receive all of your Sales Tax Funds from that 90% would be a mix of PAYGO (Pay-As-You-Go) and financing. That mix would total about 62% of your program cost. Because several of your projects aren't eligible for this CIG Program, The Capital Investment Grant Program, those would not receive federal grants. So, your total program would only have a 35% match, but for your eligible projects, you are much higher than 35%. Then you have the \$300 million dollar target that we are targeting for other grant opportunities over the next 3 years. That all totals to \$11.6 billion for the Transit Program.

So, summing it all together, we have the \$1.9 billion non-transit capital cost added to that. The total now that we are just assuming for 10 years and then now adding that all together that will be \$13.5 billion for the full program. We will be coming back. We focused this on the Transit Capital side. We will be coming back to you in the Fall and providing an update on the non-transit side so we can give you that information then.

As a next step, we will be developing four different scenarios where we can look at different input assumptions, different funding sources, and how that impacts the programs.

Mr. Jones said the purpose tonight was to bring the Council up to date with the information that we have and as you know we are still going through the Silver Line design. Our strong desire is that you tell us to keep working on it. What we will have is the opportunity to have multiple scenarios. We've said four scenarios about funding as it relates to the TMN, but that is the purpose of tonight, and I apologize, I don't know you didn't have your presentation legislate, but I can see where that would add to the frustration.

Mayor Lyles said I think what I have heard Mr. Driggs and other Councilmembers express, when we are doing these big projects and we are trying to solve big problems, I think that what we have to figure out is a way that Council is engaged every step along the way so that there are no surprises at the end. That's basically what we are trying to do as we are working together on these major initiatives.

They are major initiatives but they are a major initiative that if we are thinking about 18 years out we need to begin now, otherwise it's going to be 25 years out. We still have the issues of congestion and the ability to move people around the city between home and work. So, I think that what I would ask Mr. Jones is that if it is possible for us to have a sheet that talks about schedule and then I would really like to have us determine where is the Council engagement and that means more than just a presentation, but where should we try to put some of these issues? How do we deal with them and I'm sure that this is really strongly committee-driven? Also, the Council needs to be updated. I know that our Committee Report Outs don't always work that well for what we are trying to accomplish.

I think that we have to figure out a way to make our Committee system work otherwise everybody is going to be working on everything and that just seems to me not developing a flow that could work for the entire Council. So, this would be my request is that you provide the Council with a recommendation on how this would move forward and how the Council will have engagement. I mean back and forth so that their approvals in the steps along the way or understanding of what those steps underway and questions are asked and we get a check off that we are ready to take the next step.

**Councilmember Phipps** said we talk about the big projects and even the Red Line. I think it was mentioned in one of the slides about the Countywide Tax, but that is contingent on all would-be participants to participate, right? To agree with this tax?

Mayor Lyles said it would have to be a vote. I think the plan was to recommend a Countywide referendum.

Mr. Phipps said right, with respect to the Red Line, it looks like, I guess I don't know if the engineering projected using this model for 2027. Would that all depend on whether or not that referendum was successful or not? Would that push that back or what is the alternative if we are not successful in obtaining the 1% without all of the participants that might want to participate in these transportation projects?

Mr. Jones said I think that is one of the important questions Councilmember Phipps. As Janet discussed earlier there is this regional discussion that is going on and as I discussed back in February and I think again in March, that's been difficult to get the buy-in. Especially from the North. Right now it is taking the Charlotte Moves Task Force numbers trying to find a way to finance it, refine the numbers and that's where we are tonight. There are other scenarios that can factor in a sales tax that may be smaller, I'm not suggesting bigger. But also is there an opportunity to have something that is more restrictive and not necessarily the entire County if that's what you are asking.

Mayor Lyles said I have a follow-up to Mr. Phipps's question. As a result of this tonight how are we going to share this information with the surrounding communities and Gaston, Cabarrus, and Union?

Mr. Jones said Mayor we would share this as is showing that in terms of the transit projects the penny can cover the cost of construction, financing, and the operations as well as non-transit projects. But even with the Charlotte Move Task Force, it wasn't contemplated that a sales tax that's raised in Mecklenburg County would build projects in other Counties.

Mayor Lyles said I appreciate that because at the MTC (Metropolitan Transit Commission) meetings we've had to state very clearly that what is in Mecklenburg would stay in Mecklenburg and as Concord and Cabarrus, and Gastonia, and Gaston County are looking seriously because of some of our regional work that we actually do understand that there is funding will be in Mecklenburg County for the projects. So, working with all of the folks in Mecklenburg is what we will continue to do. The MTC policy is as I stated.

**Councilmember Johnson** said one thing I heard Ms. Vandergrift say is there was some term that is going to be 18 years instead of 10 years. Can you elaborate a little more on that, please?

Mr. Jones said sure I will take the first shot, Amanda. So, again with Charlotte Move, again visionary it was basically starting all of these projects at the same time. Doing it a little bit over a decade. The reality is how the City, the Region would compete for these projects. We wouldn't get all of these projects approved for federal funding on day 1. Nor do we have all of the projects actually at a phase where it would even be eligible for the federal funding. So, this is a more realistic look and that's why it is spread out over the 18 years.

Mr. Driggs as we contemplate this and partnering is there any thought been given to some sort of authority or an issuing agency for the debt or who will be the issuer of the debt?

Mr. Jones said Councilmember Driggs that is one of the issues that we are discussing on the legislative package because unlike previous projects when you start to have a project that is outside of the City of Charlotte you don't want to carry that on our full faith and credit. So, what we are also contemplating is to have this have its own credit so that it isn't backed by the City's credit.

Mr. Driggs said right. So, then there would be a pledge of the sale tax proceeds to that entity, and that that would be the basis on which it would serve as the debt.

Mr. Jones said that is one way of doing it, correct. Yes.

Mr. Driggs said we talk before about the set-aside or something for other communities. So, is that still part of the conversation? How do we imagine that will work?

Mr. Jones said yes, so as we go back to Charlotte Moves again building this bridge there wasn't this contemplation at that point for projects in the Towns. As we start to look at the refining numbers, we knew that that would be important to get the buy-in because those other jurisdictions also should have their transportation projects included. So, as Amanda was discussing this and we won't go back to the slide, but we kept that \$1.9 billion that were related to Charlotte projects. Also in there is \$400 million associated with the greenways. So, that is outside of the City but in the County. But there is capacity there to have some portion of that to be for transportation projects in the towns.

Mr. Driggs said okay, I assume that we will be in incurring debt to do the financing for this given the timeline for completion well into the future. So, the final maturities of the debt that we will incur related to this could extend out as far as 2070?

Mr. Jones said correct, because if you think about the last project that is constructed out in 2041 and then you will have the 30-year debt based on that last nail in the ground.

Mr. Driggs said well it's kind of sad to see that the Blue Line is one of the ones that look it was not going to get done until 2041 and I'm hoping I won't be in office anymore at that point.

Mayor Lyles said given the changes that I have seen in the aging, how old (inaudible) until 100.

Mr. Driggs said one thing I'll note the modeling is being done on the basis of this sales tax when approved is paid immediately right, goes into effect immediately? So, do we have kind of a sinking fund in the model that anticipates an accumulation of proceeds, sale tax? Then being used as the cost that are incurred?

Ms. Vandergrift said yes, it carries over funds each year and accesses. The carryover funds plus what you receive each year, what would be available to fund a program or project. So, yes.

Mr. Driggs well I am interested to see a spreadsheet, but thank you for that.

Mayor Lyles said there might be some people that want to have individual sessions around this. So, we can figure this out.

**Councilmember Winston** said I have a couple of questions for Ms. LaBar. The Lake Norman o North Meck Chamber of Commerce has come out pretty strong against this plan. Have you been in conversation with this group or its members? Have you heard or discussed any alternative parts of a greater plan to get their support behind potential investments to move people around up there? Has the business community been able or tried to engage the railroads to try to make a business case to get more cooperation around future investments in transportation and transit in Mecklenburg County?

Ms. LaBar said we have had conversations with the Lake Norman Chamber. They are participating in focus groups that we have had to date. Our focus really is on the due diligence of the EIS (Environmental Impact Statement), which includes certainly rail conversations. We really need to make sure that we have all of the data inputs to this before we could advise our partners on anything further with regards to a legislative strategy and approach.

Mr. Winston said so there has been no engagement from the business community with the railroads at this point and time?

Ms. LaBar said we know that the Red line is going to be a priority and like I said, we are certainly doing our due diligence around this. The EIS is really where our focus is right now. Those are conversations we need to come back to, I think once we have the outputs from the study.

**Councilmember Bokhari** said I think this just basically boils down to the simple factor of a loss of trust. The creditability of this City over the last year is a story of a death of a thousand paper cuts and this being a great example of that. From Council feedback being willfully ignored in the 2040 Comp Plan to the poles being suppressed from the public because it says roads are their top priority, but they needed that to be rail. All the way to \$8 billion in additional known cost being hidden from Council and the public. If you read the story around this it doesn't matter how right everyone always thinks they are when two of your five top city leaders are having a serious debate on what should be shown default to transparency. Not to hiding.

So, when is it finally going to be not a case of everyone else is just confused and then there is people on the 15<sup>th</sup> floor that actually did something wrong. For this case that train has come and gone, unfortunately, it's a shame because we really needed to be proactive on this topic to take advantage of transformational investments in this community. But once again a small group wanting the credit of doing this on their own and in the process trying to manage this Council as a rubber stamp has resulted in the loss of trust from the towns, the General Assembly, and the voters.

So, many people here on the other side decided to stop listening to my guidance on the 2040 Comp Plan because it went against their agenda. I'll tell you if you want to listen to that guidance now this plan as designed by the people who deliver is dead in the water.

It's quite simple the General Assembly and the Towns will not have the trust necessary as long as we keep treating our partners like pawns. That's the story of this entire last year if you have been following along.

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#### **ITEM NO. 4: COUNCIL COMMITTEE REPORT OUTS**

##### **Budget and Effectiveness**

**Councilmember Driggs** said we had a meeting on the 17<sup>th</sup> of the Budget and Effectiveness Committee which includes myself as Chair, Councilmember Eiselt as Vice-Chair, and Councilmember Ajmera, Graham, and Johnson. We tackled three topics at this meeting which was quite a crowded agenda. So, I'll just talk about what came out of it. First of all the election schedule item which I think we are all aware of. Senate Bill 722, which was allowed to become law by the Governors failure to sign it, provides that we basically have a choice as to whether our at-large elections will take place this year or next year. We have to give the County Board of Elections notice by the 19<sup>th</sup> of July, which I think is three business days before the filing opens on the 26<sup>th</sup> of our intent to do that if we are going to do that. If we don't give any notice we default to the timeline where everybody runs on the same schedule next year. With the filing dates and the other things that we have been told about, I'm not going to repeat all of that again.

The real question is whether we bifurcate the election or whether we allow all of our elections to occur on the schedule that was established for District Representative whose Districts can't be drawn in time for this year's election. A couple of issues were brought out there. I think the thought behind the Bill 722 was that since the At-Large candidates are not effective by the District being process, they can run this year. At the same time, there is a cost associated with that of about \$850,000 of which 40% or \$340,000 would be payable by the City. Then I think we need to think individually about those election dates and what we think about turn out or how that might play out. Since we kind of got bogged down on a couple of other things in Committee and felt that the full Council would probably want to deal with this issue anyway, the Committee has referred this issue to the full Council without a recommendation. You see that it's item Number 16 on our agenda tonight is a public hearing. So, we will get input from the public about the choice that we have to make, and then we would need to make a decision about it because this is the last chance we will get before the deadline to notify the Board of Elections. So, we will come back to that.

Another topic we considered was redistricting considerations and here we had a recommendation from the staff essentially that we follow the procedure that we have in past redistricting where the Mayor appoints an Ad Hoc Committee of five members of the Council and those members of the Council are advised by a consultant and by a Cryptographer, a map drawing guy and then work up some proposals for Districts that are offered to the full Council. That work will be guided by some principles that they adhere to in the past related to things like trying to maintain compact districts, questions about double-bunking, or other issues. So, the idea is essentially that we agree here to do this as it has been done in the past and I would suggest on that one since the Mayor actually already has the authority to appoint a Committee like that, that unless there is an objection we proceed on that bases of the redistricting topic.

The last thing we talked about was virtual meeting options. You will remember here we had taken an action in October that gave Councilmembers the right to participate in our meetings virtually without condition and indefinitely we then took another action later that caused that to sunset when the State of Emergency is lifted. You may have heard the State of Emergency was extended until the end of July by the Governor. Beyond that, it is kind of hard to know there are federal funding issues and so it's hard to be certain about exactly when that will be lifted. Because that goes out of effect then we took up the question of whether changes in our Virtual Meeting Policy were indicated. What came out of that was that the Committee considered that Committee meetings should be attended by a quorum in person, three people with the option for others to participate virtually. We

also on our general meetings suggested a couple of changes that the 48-hour notice requirement for virtual participation meetings be in fact reduced to two hours and that we add to the current circumstances under which we can conduct virtual meetings, a provision that says that a Councilmember whose medical condition or illness or family emergency makes it impossible for them to attend in person could do so virtually. The problem with that in my mind was that that meeting if those who were there recall was a little rushed and I think that it may be that we need to pay a little more attention to how that works. So, I think the idea that we have an exigent circumstances provision for individual members makes sense, but we didn't have a chance to look at what other cities do or think about how exactly we would define that and when the situation arises because if somebody under these rules says I'm going to be there virtually because, we need to have an objective standard as to whether that is really what we intended, what the rule intended. I think it's a matter of good rulemaking it would be beneficial if we perhaps worked with the City Attorney and got the staff to look a little more into what other cities are doing. Find out what best practices are about this because the way this came out in the Committee was fuzzy. It is on our agenda tonight, it's item 17. My suggestion would be that in fact, we refer it back to the committee and do a little more work. As so as to have something to put in front of the full Council it's more fleshed out.

**Councilmember Graham** said it's a procedural comment. Over the last couple of months, there were a number of items in Committee that we quote, unquote punt to the full Council without taking any action on. It's an effectiveness issue of the purpose of the Committee meetings if we don't make any decision, we don't give any guidance to the Council, we don't give any guidance to the staff, and it kind of wastes our time, right. So this has happened two or three times. I can recall where we just take no action. I just think if we are there and we know what's on the agenda I think we should take action on items. There might be some cases where we will quote, unquote punt it to the Council because ultimately no matter what the committee votes up or down the Council gets the final word. But if we don't take any action at all then I'm just questioning the purpose of having Committee meetings. That's just my thoughts.

Mr. Driggs said I just want to say it is absolutely not my intention with the suggestion that we not take any action. We decided as a Committee that Councilmembers should be able under certain exigent circumstances to participate virtually. So, we are not going to revisit that. What the intention was that we would talk more about how we define that so that a Councilmember doesn't call in and say, hey I'm sick. Then the City Attorney says, I'm sorry that's not exactly what the rule intended. We just want to be clear about what that means.

Mr. Graham said no, I was talking about the first item that you addressed. Which was the elections.

Mr. Driggs said on the election thing when we looked at it, it's all most like there isn't a whole lot of research that we can do or a lot of basis for policy discussion. This is something that people are going to have individual views on. I think in that instance we could have voted something in Committee and it just seems likely to me that given the composition of Committee versus the entire Council whatever we recommend could very well be set aside anyway. The idea of Committee work is sort of value-added. It's to educate and in this case, I don't think Council needed a lot of education. It's like you look at it and you say it is this year or next year, \$850,000. There is not a whole lot that we could do to kind of improve Councils' deliberation on that question is my feeling.

Mayor Lyles said the Chair has suggested that we get a better definition.

**Councilmember Johnson** said so there was a Committee recommendation that was voted on by the Committee. The Chairs presenting the Committee recommendation are, right and that's the purpose of the Committee. So, I am hesitant to take something back to the Committee that's already been voted on by the Committee, especially given one of our Committee members is on maternity leave. If there was a motion to accept the Committee recommendation, is this the time where we would normally vote on that? Are you not making the Committee recommendations?

Mr. Driggs said right now this is a report-out from the Committee. If you look, you'll see that agenda Item No. 17 is a question. So, it's on the agenda.

Ms. Johnson said okay.

Mr. Driggs said this was a suggestion I made because you were there, I didn't feel that we had the chance with those three topics and that one meeting to do justice to the kind of ramifications. So, again the suggestion is that we take on board the vote that we already took to have this sort of ascendancy provision in there. Put that in but just think a little more about what it says.

Mayor Lyles said I thought that what you were saying is that there is language in here that needs definition and it would come back on the next meeting with that definition. That's what I heard the Chair said. If I am making it too simple.

Mr. Driggs said that's right, but I think when we get into the definition there are questions about illness, what is illness means, or if your cousin is sick. It's just good practice to be as black and white as possible about when you can and when you can't participate virtually and if you have a circumstance you may be in a position where you can't attend a meeting, but the question is when can you attend virtually?

Ms. Johnson said I thought we spent a lot of time defining that in the Committee and so I am just concerned if the Chair would come back and kind of not present the Committee's recommendation because they want more clarification if we've already defined it? I just want to be very clear that our recommendations are presented to the full Council without any filter.

Mr. Driggs said that's right we took a vote and it's in the agenda, right. So, this is a voluntary suggestion that in truth given that wording for example. We were in the meeting. We were all talking and Ms. Ajmera said well what if we did this and this. It wasn't something that the staff was able to look at and think about and be able to work on it. It just seems like it might benefit if the Attorney and the staff came back to us in Committee with some ideas on how to be more specific. Again, not back pedaling at all on the recommendation that we already made that there should be something like that in there.

Mayor Lyles is there any objection to sending it back for the definitions, I think as the Chair says is there objection to that?

Ms. Johnson said just for the definition because keep in mind one of our Committee members is not present to vote. So, as long as we are moving forward on the recommendation that you already made. If we need additional clarification we could get that but I don't want to back pedal on what's been voted on when we are mission a committee member.

Mr. Driggs said well I think the benefit is that when we then get to the full Council conversation the mission committee member will be here.

Ms. Johnson said how do you know that?

Mr. Driggs said if we back to the Committee on this, she will be at the Committee meeting and she will be present when the full Council decides what to do.

Mayor Lyles said I don't think that we can define maternity leave.

Ms. Johnson said exactly.

Mayor Lyles said well I don't even know that she's on maternity leave and I don't know what the plans are. So, I think that both of you are saying it should be with the full Committee.

Ms. Johnson said well what I'm saying is we have already addressed it.



Mayor Lyles said right, I understand. You will not want to see any changes that the full Committee couldn't participate in? That's what I thought I heard you say.

Ms. Johnson said I just don't see the need that we have already rehashed. So, it's kicking the can again, once again. Which is why we made the proposal last time. Let's just make this virtual indefinitely because we have talked about it five times or so. So, we have made a decision. The Committee has made a decision and I just don't understand the reason not to adopt it tonight.

Mayor Lyles said I think the Committee Chair was asking do you mind if it goes back to the Committee for a definition or not? Is there any objection to that?

Ms. Johnson said I would object to that.

Mayor Lyles said so Ms. Johnson objects. We will have a discussion on the agenda item.

Mr. Driggs said I have the Arts and Science one too.

### **Arts and Culture Ad-Hoc**

**Councilmember Driggs** said the Ad-Hoc Arts and Culture Committee met on June 22 and the main purpose there was just to take steps in order to set in motion the plans we have for the use of public funding for the arts and agree on a structure. The recommended structure is on page 20 of your package here where we create a Board consisting of 18 people and that nine would be appointed by the private sector, nine by public-sector, three by the Mayor, and six by Council. One of the private-sector appointments would be by the Arts and Science Council. This group would create a Culture Plan, would allocate the \$4.4 million of Arts funding that is not spoken for in this year's budget, and they would also make decisions about the \$12 million in fiscal years 23 and 24. In order to get the ball rolling, what do we need to do tonight, and again, that will be an action item in our meeting is agree that this Board should be created that we will have an Arts Commissioner or whatever the name is we are giving that person who would lead the process of creating a cultural plan.

So, I just tell you that for now. It will come up as an agenda item for a vote, but I think it is important that we try to take some action on this tonight in order to get this thing moving. We don't want to waste any time getting this Board constituted and starting to work out how we come up with a funding allocation process that is equitable and serves all of the needs that we have identified for the community.

**Councilmember Newton** said I was wondering you mentioned the Art Commissioner. I was wondering what the timeline is for the selection of the Art Commissioner? Are we saying that the Advisory Board will be appointed and then the Commissioner selected or is the Commissioner being selected independent of the Advisory Board? Then who would be doing this selection if that is the case?

Mr. Driggs said for one the Commissioner will be hired by the Manager, right. So, the Manager reports to us and does those things and then Mr. Manager if you would like to talk about your expectation about that.

**Marcus Jones, City Manager** said Councilmember Newton I believe last week the position description went out. Personally, I have had a conversation with people in the Arts and Culture Eco-system. Our thought process is to get recommendations from them as well as we have a panel to have people that are outside of the City also on the panel in terms of interviews.

Mr. Newton said the reason why I asked is because I know there was a great deal of frustration associated with the process leading up to our budget approval of this new system of Arts-funding. Particularly a lot of questions from the ASC (Arts & Science Council), Charlotte is Creative and Art Future and I just think it would be prudent for them to be involved in this process with you Mr. Manager. It sounds like that's what you are

doing. Are you saying that you are speaking with these groups in making sure that their input is included in this process of selecting the Commissioner?

Mr. Jones said yes, and Councilmember Newton the other thing that is important is that knowing who the groups actually are. You asked me today to name all of the members, I couldn't. I am definitely taking phone calls and giving perspective from the artist and artist groups, yes.

Mr. Newton said got you. I appreciate it if maybe we could follow up offline as well.

Mayor Lyles said I'm looking at the time, it is 6:30 when we should be going to the Public Forum. I'm going to ask the Manager if he would be okay with doing the American Rescue Act Plan Update as part of his Manager's Report so that we can proceed with our Public Forum, the members of the community who have come to speak with us tonight. If there is no objection, we will have the Manager talk about the American Rescue Plan in the Manager's Report.

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## **PUBLIC FORUM**

### **ITEM NO. 7: PUBLIC FORUM**

#### **Non-Discrimination Ordinance**

**Cameron Pruette, 1000 Central Avenue** said I first want to thank you for your commitment to passing an expansion of nondiscrimination protections in August. I look forward to continuing work on that and so many on Council who have spoken in favor and been supportive of that process. I also want to note the situation that the Council is in regarding elections is due to the flawed census process that was over politicized by the previous administration. I want to talk about how that excluded trans-people entirely from the census. So, not only are elections left out, we are not even counted trans-people which affects everything as I'm sure all of the City Council knows, the budgeting. When you don't even know how many people there are, and you make a health care decision and how housing decisions. We can't even track discrimination reports factually with data because the census was politicized by the Trump Administration. Not only is it delayed but we are not counting LGBTQ (lesbian, gay, bisexual, transgender), plus people in our communities. We have defined a stop gap. We have to bend over backward and find new ways for funding.

So, I appreciate the Council taking up this issue tonight. I hope you will make the right decision to place all elections to 2022 so we can make sure we are maximizing turnouts. A lot of voters are not expecting these elections to happen this year and it is a disservice to them to delay them in that way. So, I look forward to continuing to work with Council to include our community.

#### **Redistricting**

**Harry Taylor, 1901 Brandon Circle** said I am with League of Women Voters and this is Gerry Mander here. He has been here before. He represents the decennial 'desecration' of American democracy by political parties...a role he's played since 1788 when Patrick Henry manipulated Virginia voting districts to keep James Madison from the U.S. House of Representatives. (If you're trying to do the math, that's 233 long years ago.) Like the 17-year locust, gerrymander emerges every ten years to hammer a fresh wooden stake into the heart of our constitution so our land remains in the control of political parties...the will of the people be damned! Were you to muse before turning out tonight - over the frightening and dangerous polarization infesting our land today, you can be sure that electing inappropriate and gerrymander-aided actors to public positions of power and in low voter turnout in primary elections - plays a huge role.

For 34 years, my votes for the U.S. House of Representatives and both sides of the General Assembly have been no more than a sham. Yes, my votes are cast, yes, my votes are tallied but they are powerless because political parties have gamed the system via creative and often unconstitutional map-drawing before the polls ever opened on election day.

Our home in North Carolina is in desperate need of redistricting reform, but our constitution makes no allowance to change that at this point in the 2021 redistricting year.

My colleague - League co-president Suzanne Elsberry- will complete that topic in a moment, but yesterday's Charlotte Observer headline regarding your discussion tonight about splitting up this year's At-Large and District elections reminded us to make a point about those At-Large Districts. It's unlikely more than a handful of people in this room are aware that for more than a century, At-Large Districts had been used for racial and partisan gerrymandering. In 1917 Charlotte scrap its system of electing a candidate from each ward and replace it in favor of a full slate of At-Large Representatives. The intent and successful outcome was to elect a Council of all- white businessmen which consequently wiped out the power of minority voters.

That balance lasted until 1977 when neighborhood groups successfully petitioned and given the opportunity to change that make up to the current 4 At-Large seats and 7 District seats.

**Suzanne Elsberry, 5721 Courtview Drive** said to return to our primary request, we are here tonight to ask that you the elected leaders of our City resolve to conduct 2021 map-drawing using an open, participatory, and transparent process that encourages citizen input. We continue to ask the same of the North Carolina General Assembly as well.

In previous discussions with Mayor Lyles, we are well aware of the potential for friction with the General Assembly. We are cognizant of the General Assembly's power and tendency to co-opt and usurp decisions and responsibilities from municipal governments. We also wish to remind you that this country belongs to its people not to political parties or to governments or to those with immense financial power.

Our request therefore is a "process" Resolution that accurately reflects the county's composition and diversity, its open, participatory, transparent, and encourages citizen input, promotes greater accountability and transparency, and provides firm timelines, prompt communication of draft plans, well-promoted hearings, and citizen access to redistricting tools.

We ask that you - the Charlotte City Council - resolve to draw Charlotte voting district maps that accurately reflect the will of registered voters so that votes have power, and that final results reflect the choice of We the People - not the rigged results fashioned by political parties for their own power. In addition, we hope you will begin conversation on the make up of the Charlotte City Council as it relates to At-Large Districts. Lastly, we ask for your courage to stand and speak up for we the People of Charlotte.

### **Non-Discrimination Ordinance**

**Laurel Grauer, 1135 Salem Drive** said I am a registered voter here in Charlotte. I moved here about three years ago from Chicago understanding very little about the City. Since that time I have been very fortunate to learn more both by engaging with local legislators and some of the Councilmen here tonight as well as through the Civic Leadership Academy, and also working with the CMPD (Charlotte Mecklenburg Police Department) Bridge Program and understanding the philosophy put forward in regards to Charlotte about the importance of putting people first and to also speaking up what's right. Some of that rebellious spirit that was talked about so much regards to the Meck Dec just rebellious spirit in general. I bring all of this up to say that while I do fully understand all of the intricacies of what happened and what transpired with HB2, moving here I understood that there were people who really had their hearts and minds to protect and

expand the rights of citizens to the public accommodation as well as to employment, but were hamstrung by the State Legislator.

These provisions however ended as of December 2020, and there has been other local municipalities who have taken the opportunity to protect its residents regardless of their gender identity, sexual orientation, military status or other considerations. These include but are not limited to Hillsboro, Carrboro, Chapel Hill, Durham, and Greensboro. All of these other places have passed these protections for the citizens and my question is why hasn't Charlotte, a place that counts itself for independent thoughts, spirit, and progressive values, with 67% of North Carolinians support LGBTQ discrimination protections and (inaudible) campaign still remains a second most dangerous city for transwomen. My urgent for tonight is this, please do what you can to protect the citizens and pass NDO (Non-Discrimination Ordinance) for your citizenship as early as August and to live up to the ideals in regards to Charlotte and what it stands for and what you encourage people to believe.

**Councilmember Phipps** said thank you Ms. Grauer for your comments.

**The following persons submitted written comments regarding this item pursuant to S.L. 2020-3, SB 704. To review comments in their entirety, contact the City Clerk's Office.**

**Margaret Lowery, <mailto:margie2539@att.net>**

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## CONSENT AGENDA

### ITEM NO. 8: CONSENT AGENDA

Motion was made by Councilmember Driggs, seconded by Councilmember Newton, and carried unanimously to approve the Consent Agenda as presented, with the exception of Item No. 34, which was pulled for a separate vote.
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The following items were approved:

#### **Item No. 33: Provision of Internship Program for Youth**

(A) Authorize the City Manager to negotiate and execute a contract with Road to Hire in the amount of \$898,228 for provision of the Pathways program for students' internships and summer bridge experiences, and (B) Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.

#### **Item No. 35: Housing Counseling and Education Services**

(A) Approve a contract with DreamKey Partners, Inc. (formerly Charlotte-Mecklenburg Housing Partnership) to provide housing counseling and education services for an initial term of one year, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

#### **Item No. 36: Thermoplastic Pavement Marking Equipment**

(A) Approve the purchase of thermoplastic pavement marking equipment, by the sole source exemption, and (B) Approve a contract with Mark Rite Lines Equipment Company Inc. for the purchase of thermoplastic pavement marking equipment as a one-time purchase.

#### **Item No. 37: Charlotte-Mecklenburg Animal Care and Control Shelter Compliance Renovations**

(A) Approve amendment #1 in the amount of \$429,507 with Bacon Group, Inc. for architectural services, and (B) Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.

**Item No. 38: Citywide Generator Maintenance and Services**

(A) Approve unit price contracts with the following companies for generator maintenance and services for an initial term of three years: Curtis Power Solutions, LLC, National Power, LLC, PowerSecure, Inc., and (B) Authorize the City Manager to renew the contracts for up to two, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

**Item No. 39: Construct Sardis Lane Bridge Replacement Project**

Approve a contract in the amount of \$864,174.71 to the lowest responsive bidder NJR Group, Inc. for the Sardis Lane Bridge Replacement project.

**Summary of Bids**

NJR Group, Inc.	\$ 864,174.71
Dane Construction, Inc.	\$ 943,188.70
Sloan Construction Co., A Division of Reeves Construction Company	\$1,062,837.62

**Item No. 40: Engineering Services for Rea Road Widening**

Approve a contract in the amount of \$747,642 with STV Engineers, Inc. for engineering services for the Rea Road Widening Project.

**Item No. 41: Land Acquisition for Tree Canopy Preservation Program**

(A) Approve the purchase of an approximately 5.115-acre parcel (parcel identification number 108-042-24) located at 8015 Robinson Church Road for a purchase price of \$250,625, and (B) Authorize the City Manager, or his designee, to negotiate and grant a conservation easement to the Catawba Lands Conservancy.

**Item No. 42: Compressed Natural Gas for Solid Waste Services**

(A) Approve the purchase of compressed natural gas, by the sole source exemption, (B) Approve a contract with Piedmont Natural Gas for the purchase of compressed natural gas for the term of seven years, and (C) Authorize the City Manager to renew the contract for up to three, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

**Item No. 43: Mallard Creek Wastewater Treatment Plant Improvements**

Approve a contract with PC/Leeper, A Joint Venture in the amount of \$964,696 for Construction Manager at Risk preconstruction phase services required for the Mallard Creek Wastewater Treatment Plant Phase 1 Improvements project.

**Item No. 44: CATS Silver Line Safety and Security Consultant Contract**

(A) Approve a contract for up to \$866,017.84 with AECOM for safety and security certification services related to the LYNX Silver Line Light Rail project, and (B) Authorize the City Manager to negotiate and execute amendments to the contract consistent with the purpose for which the contract was approved.

**Item No. 45: Airport Environmental Consulting and Remedial Services**

(A) Approve a contract with Hart & Hickman, PC for environmental consulting and remedial services for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

**Item No. 46: Airport Facility and Ground Lease to FedEx**

(A) Approve a facility lease with FedEx Corporation for a cargo facility at Charlotte Douglas International Airport for a term through July 31, 2028, (B) Approve a nine-year ground lease with FedEx Corporation for 1.69 acres for a parking lot development, and (C) Authorize the City Manager to approve an additional five-year term for each lease and to amend the leases consistent with the purpose for which the leases were approved.

**Item No. 47: Airport Passenger Boarding Bridges and Ground Support Equipment Installation and Commissioning**

(A) Approve a unit price contract with AERO BridgeWorks, Inc. for the installation and commissioning of Passenger Boarding Bridges, ground support equipment, and spare parts for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

**Item No. 48: Airport Passenger Boarding Bridge Painting Services Contract Amendment**

Approve contract amendment #2 to add \$600,000 to Charlotte Paint Company, LLC for passenger boarding bridge painting services.

**Item No. 49: Airport Project Management Services**

(A) Approve a contract with T.Y. Lin International for project management and construction administration services for an initial term of five years, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

**Item No. 50: Airport Security Checkpoint Queue Management Solution**

(A) Approve a contract with CrowdVision for security checkpoint queue management services for an initial term of three years, and (B) Authorize the City Manager to renew the contract for up to two, one-year terms with possible price adjustments and to amend the contract consistent with the purpose for which the contract was approved.

**Item No. 51: Airport South Crossfield Taxiway Construction Contract**

Approve a contract in the amount of \$25,154,561.65 to the lowest responsive bidder Crowder Construction Company for the Deicing Pad and South Crossfield Taxiway Project Package 3.

**Summary of Bids**

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

**Item No. 52: Airport Roof Maintenance Services**

A. Approve unit price contracts with the following companies for roof repairs for an initial term of three years Mitten and Company, Davco Roofing, and (B) Authorize the City Manager to renew the contracts for up to two, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

**Item No. 53: Set Public Hearing on Mallard Glen Area Voluntary Annexation**

Adopt a resolution setting the public hearing for August 9, 2021, for the Mallard Glen Area voluntary annexation petition.

The resolution is recorded in full in Resolution Book 51, at Page(s) 756-758.

**Item No. 54: Refund of Property Taxes**

Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of \$1,536.65.

The resolution is recorded in full in Resolution Book 51, at Page(s) 759-760.

**Item No. 55: Meeting Minutes**

Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of May 03, 2021, City Manager's Proposed the Fiscal Year 2022 Budget Presentation.

**PROPERTY TRANSACTIONS**

**Item No. 56: Property Transactions - Brown Grier Road Improvement Project, Parcel #12**

Acquisition of 1,340 square feet (0.31 acres) Fee Simple, plus 814 square feet (0.019 acres) Utility Easement, 2,146 square feet (0.049 acres) Temporary Construction Easement 3855 at Griers Fork Drive from Kinh S Thai and Anh Tuan Thai for \$15,000 for Brown Grier Road Improvement Project, Parcel #12.

**Item No. 57: Property Transactions - Brown Grier Road Improvement Project, Parcel #26**

Resolution of Condemnation of 28,893 square feet (0.66 acres) Fee Simple, plus 15,659 square feet (0.359 acres) Temporary Construction Easement at 3627 Sandy Porter Road from Emerald Acres LLC, Emerald Green Partners LLC, and Tubbercurry Real Estate Ventruess LLC for \$65,275 for Brown Grier Road Improvement Project, Parcel #26.

The resolution is recorded in full in Resolution Book 51, at Page (s) 671.

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**Item No. 58: Property Transactions - Parkwood Avenue Streetscape, Parcel #23**

Acquisition of 6,919 square feet (0.159 acres) Temporary Construction Easement at 317 East 16th Street from WPP Block Owner II L.P. for \$76,100 for Parkwood Avenue Streetscape, Parcel #23.

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**ITEM NO. 34: CHARLOTTE-MECKLENBURG POLICE DEPARTMENT FIREARMS AND ACCESSORIES PURCHASE**

Motion was made by Councilmember Driggs, seconded by Councilmember Bokhari, and to approve the (A) Approve the purchase of firearms, simunition, and accessories from a cooperative contract, (B) Approve a unit price contract with Craig's Firearm Supply Inc. for the purchase of firearms and simunition for a term of one year under the North Carolina Statewide Term Contract 680A- Ammunition and Firearms effective August 1, 2016, (C) Approve a unit price contract with Lawmen's for the purchase of firearm accessories for a term of one year under the North Carolina Statewide Term Contract 680A- Ammunition and Firearms effective August 1, 2016, and (D) Authorize the City Manager to extend the contracts for additional terms as long as the cooperative contract is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contact.

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

YEAS: Councilmembers Bokhari, Driggs, Graham, Johnson, Newton, and Phipps.

NAYS: Councilmember Winston.

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**PUBLIC HEARINGS**

**ITEM NO. 9: PUBLIC HEARING ON AN AMENDMENT TO THE EDGEWOOD PLANTATION HISTORIC LANDMARK DESIGNATION**

**Mayor Lyles** declared the hearing open.

**Councilmember Winston** said I think we should have some type of recommendation moving forward where we consider our policy around making Historic Landmark designations to plantations. It is just a comment for the good of the order.

Mayor Lyles said I think that we can perhaps send a note to our Historic Landmark Commission to ask them to deal with that as we are bringing in new organizations and ask them to consider the language because I am sure there is more appropriate language.

There being no speakers either for or against a motion was made by Councilmember Driggs, seconded by Councilmember Bokhari, and carried unanimously to close the public hearing to consider an amendment to the Historic Landmark Designation Ordinance for the property known as the "Edgewood Plantation" (parcel identification numbers 027-611-04, 027-611-05, and 027-611-06) that would de-designate portions of the land previously included within the designation.

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**ITEM NO. 10: PUBLIC HEARING ON AN AMENDMENT TO THE VICTOR SHAW HOUSE HISTORIC LANDMARK DESIGNATION**

**Mayor Lyles** declared the hearing open.

There being no speakers either for or against a motion was made by Councilmember Bokhari, seconded by Councilmember Newton, and carried unanimously to close the public hearing to consider an amendment to the Historic Landmark Designation Ordinance for the property known as the "Victor Shaw House" (parcel identification number 095-055-44) that would de-designate portions of the land previously included within the designation.

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**ITEM NO. 11: PUBLIC HEARING ON THE ERVIN BUILDING HISTORIC LANDMARK DESIGNATION**

**Mayor Lyles** declared the hearing open.

There being no speakers, either for or against a motion was made by Councilmember Bokhari, seconded by Councilmember Newton, and carried unanimously to close the public hearing to consider historic landmark designation for the property known as the "Ervin Building" (parcel identification numbers 131-111-10 and 131-111-14).

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**ITEM NO. 12: PUBLIC HEARING ON THE LARKWOOD-CHADBOURN HOSIERY MILL PLANT HISTORIC LANDMARK DESIGNATION**

**Mayor Lyles** declared the hearing open.

There being no speakers either for or against a motion was made by Councilmember Bokhari, seconded by Councilmember Driggs, and carried unanimously to close the public hearing to consider historic landmark designation for the property known as the "Larkwood-Chadbourne Hosiery Mill Plant" (parcel identification number 083-067-07).

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**ITEM NO. 13: PUBLIC HEARING ON THE WILLIAM H. PEEPS HOUSE HISTORIC LANDMARK DESIGNATION**

**Mayor Lyles** declared the hearing open.



There being no speakers either for or against a motion was made by Councilmember Driggs, seconded by Councilmember Newton, and carried unanimously to close the public hearing to consider historic landmark designation for the property known as the "William H. Peeps House" (parcel identification number 121-082-08).

**The following persons submitted written comments regarding this item pursuant to S.L. 2020-3, SB 704. To review comments in their entirety, contact the City Clerk's Office.**

**Steve Menaker, 831 E Worthington Ave**

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**ITEM NO. 14: PUBLIC HEARING ON RIVER DISTRICT PHASE 1 AREA VOLUNTARY ANNEXATION**

**Mayor Lyles** declared the hearing open.

There being no speakers either for or against a motion was made by Councilmember Driggs, seconded by Councilmember Newton, and carried unanimously to close the public hearing on the River District Phase 1 Area voluntary annexation petition.

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**POLICY**

**ITEM NO. 16: CONSIDERATION OF MUNICIPAL ELECTIONS SCHEDULED**

**Corine Mack, 2317 Sonoma Valley Drive** said I'm standing before you today deeply concerned, but more importantly troubled. I have a conflict around this issue of the election. Let me talk about the conflict first. I'm concerned that if we have an election this year, there are individuals who may be interested in running for office who won't have sufficient time to prepare for an election. For me, it's always about due process and democracy. Charlotte is a microcosm of the rest of the Country. The rest of the Country we see very clearly that there is a move to undermine and dismantle our democracy and so for that reason I want to make very clear two things.

The first thing is I'm totally against there being a separate election for At-Large Candidates and District Candidates. Most citizens in this City, the City of Charlotte understand that the City Council and the Mayoral election is in the odd year. So, there is always going to be confusion if we move this to next year. I understand that is a probability, but in no way should we have a partial election. In no way.

Secondly, in the event someone ran for an At-Large position if there is a separate election, that person would then have the right to double-dip and come back for the 2022 election and run again for a District Seat if they lost the original At-Large Seat. That violates democracy. What I don't want is to have continual chaos and that's what I see. I see chaos on the national scale and now this particular proposal, additional chaos. I know that the General Assembly has a political position that they are taking, but I believe that each person has a responsibility to stand up for the citizens of this city and do what's right. That is whatever you decide whether it's had an election this year or next year, that there is an election for the entire body of the City Council.

My last point we have to be very clear about one thing that every person who is elected in this room was elected by the people. The people's voice should matter. Even in the concept of how we do these meetings our voices are being chilled having only three minutes to speak, on a specific day. If we spoke this day we can't speak for 90 days. Now, this situation. The comments were made in terms of who was smart and who is not smart. I promise you Charlotteans are very smart. We clearly see what is happening here.

There are people in this room that I respect deeply. I am asking you that stand against anything that violates our Democracy. God bless you.

**Lawrence Shaheen, 640 North Church Street** said many of you don't know me, but my name is Larry Shaheen. I am a resident here in Charlotte. Many of you know me as a figure who is involved in legal and political action, but most of you don't know my story and how we came to Charlotte.

My family came from Lebanon in the early 1900s fleeing oppression under a Turkish Government that would have killed us for being Lebanese and Catholic. We had no vote. We had no way to tell an oppressive government that the actions they took were wrong. We fled to this Country and this Country has provided my family and those of us who I love with a great opportunity.

William Gladstone said justice delayed is justice denied and the power of our Country and the way in which we handle things is through one vital mechanism, the elections. While I completely understand the position that this Council has been put in with Districts having to be delayed due to the Census. As an attorney and Mr. Baker, I think you would agree, there are no legal justifications for the delay of the Mayors or City Council At-Large positions at this time. Furthermore, all of our sister municipalities within the County are going to be holding elections. At a time when this Council is taking some of the most important issues of the day, we must look with confidence to those who are elected to speak for us. How can we as a City state that we stand for those things in which we believe when we are denying the ability to select our leaders to those who would rightfully at the time have that franchise?

I find it abhorrent to think that those who may or may not have had to run this year weren't prepared! Well, that was always a possibility. Furthermore, I find it even more abhorrent to think that people would actually say that delaying the election regularly schedule is disenfranchisement. If the shoe was on the other foot and this was the General Assembly taking this action due to the issues which we are discussing today rightfully so every member of this Chamber and every member of this City would march on Raleigh and say, how dare you! How dare you take our franchise from us! I ask you to look yourself in the mirror and look to that concept and say, if we would object to them taking this measure, we must not do the same.

As my time ends, I end with a quote from Martin Luther King Jr. Give us the Vote.

**Cindy Decker, 12800 Diamond Drive, Pineville, NC** said as a citizen of Mecklenburg County for over 20 years I have seen what happens in our local communities when politicians are locally focused on Charlotte's good and there are always good outcomes. I have also seen what happens when our politicians are focused on a national narrative bent on making it fits Charlotte's profile. It's damaging to our local communities and the real problems are neglected.

The vote of the Mayor and the AT-Large Committee members to fully adopt the 2040 Plan against the advisement of five Councilmembers representing your local communities, refusing to compromise on one issue that your continuants were was most concerned about made it clear that your focus is not on the health and well being of the local communities but on aligning with a national political agenda because eliminating single-family zoning is all spelled out in the American Jobs Act. To add insult to injury you voted yourself a raise and today it may be decided to postpone the election for six months. That's unacceptable.

Charlotte's profile is one that could easily shine for all Americans, but you keep holding her back by forcing this national profile on her to turn her into a city she is not. We are not Baltimore, Minneapolis, Seattle, or any other big city. Looking at best practices is one thing, but pushing the practices of other cities on us with a political agenda is another. Charlotte is very unique, very individual with special characteristics that deserve to be highlighted. Talent, personality, and diversity that is our own. Yet you continue to paint with a big broad brush which takes no talent at all. I've listened to you call your city racist

because that was the national narrative. I've heard you say that the American dream needs to be redefined by you. Alluding to the desire for a home with a yard is a white idea. That is beyond insulting. As a voter, I and many others want to respond to that in November, not six months from now.

**Sarah Reidy-Jones, 2716 Olympus Drive** said I serve as the Chairman of the Mecklenburg County Republican Party. On behalf of the 107,732 registered Republicans in the City of Charlotte that you also represent, I am here tonight to ask that you vote against delaying AT-Large Mayoral races. Just this week I saw that even the small businesses and the small town of Western Massachusetts where I was vacationing were begging for people to get back to work so that they could stay in business.

So, many storefronts, cafes, and tourist spots were shuttered with notes that they can not find a workforce, continue to pay high business taxes, and maintain their American dream. This struggle isn't unusual from Norman Rockwell-inspired mainstream USA in New England to our own Charlotte backyard. Employers and employees are struggling. They want their voices and their opinions to be heard. It is tone-deaf at best that this Council already gave itself raises in today's environment.

Voters and tax-payers want to voice their opinions at the ballot box now and instead are told that the Government has given themselves raises and now seek to insulate themselves from any fall-out at the polls this Fall. Make no mistake having transparent and timely elections is the opposite of voters suppression which you will hear. Moving the goal post is true voter suppression. I implore you on behalf of the Mecklenburg County Republican Party and all voters to reconsider delaying elections and let all of our voices be heard on November 2<sup>nd</sup>.

**Jane Whitley, 3144 East Ford Road** as I am in my third term as the Chairwoman of the Mecklenburg County Democratic Party. I rise today to support holding elections for all Charlotte Municipal offices at the same time. That would include the offices of Charlotte Mayor, Charlotte City Council At-Large, and the Charlotte City Council District Reps. None of us want to delay any of our Municipal elections, which should be held as scheduled every November and odd number of years. But the Trump Administration gross mishandling of both the Coronavirus Pandemic and the 2020 Census have caused the delay in the receipt of the 2020 Census information that is needed to hold our Charlotte City Council races on our regular schedule. So under the current circumstances, the best way to handle the Charlotte Municipal elections is to have them all at the same time even if that means delaying the election of all Charlotte Municipal offices until Spring of 2022.

I'd like to remind everyone that no matter which way the vote goes as to whether or not the Municipal Elections will be held in one or two parts, receiving the Census results in September means that we will have to have our District Council races in the Spring. Our District Reps will already get an extra five to six months if we hold the bifurcated election will all Municipal races except the District Council seats on the November Ballot. District Reps will have the opportunity to take two bites of the apple by maintaining their District seat while running for Mayor or an At-Large in the Fall and then filing to run in the Spring if or when they lose.

In normal election years a candidate for Charlotte Mayor or a Charlotte City Council would need to choose only one of those seats if they wish to run for a seat, but in a bifurcated plan and two parts if that's approved with two scheduled elections, one in the Fall and one in the Spring that would be to accomplish what should be accomplished in a single election. Then all City Council, Mayor, or Representative should sign a pledge to accept the results of any election in which they participate in November 2021 and not run in the second Municipal election in the Spring.

Holding two elections to accomplish what should be accomplished in one election is not only going to cost tax-payers more indirect cost of having the extra election, which as Councilmember Driggs said would be up to \$850,000, but it will cause confusion among our voters. The call for a bifurcated election appears to be nothing more than political opportunism by those who wish to take advantage of the unfortunate situation caused by

the Trump Administration. It's an attempt to confuse and disenfranchise voters while giving candidates the opportunity to take two bites of the apple.

**John Stroup, 4407 Black Creek Church Road** said one thing that I thought I would insert is I don't think we should have partial elections and then I'll say what I got to say. I believe in limited terms. Therefore I believe that the Charlotte City election should proceed in November as in the past. As Mayor and City Councilmembers if you feel that you have created an atmosphere of trust and good leadership, then you should welcome the opportunity to have your constituents, the voters give their stamp of approval this November.

On the other hand, if you as Mayor and City Councilmembers are concerned about some actions that you have taken that may have created trust issues or over ridden the majority of the voters' wishes then I suspect that this body will vote to skip the elections this Fall. It is my belief that whatever the vote is it will be very telling. Just remember that the right to vote is of utmost importance.

I for one hope that this most important right is not denied for an extra six months or so. Thank you for the opportunity to speak on this most important right.

**Lisa Ellsworth, 509 Sardis Lane** said I appreciate the opportunity to comment on the proposal to bifurcate the Municipal Election. I am a citizen and a fan of rational, methodical government. Representatives working together to balance conflicting priorities and make the best decision available to them for the City. I realize that is ideal and not always possible, but I still hope we all want to work in that direction.

In this debate over whether to split the Municipal Elections, I have listened and I have not yet heard a compelling reason that would justify the significant associated cost that will be borne by the City and the Board of Election. To hold two Municipal Elections in a six-month period Councilman Driggs mentioned in his record that the financial cost is estimated to be \$850,000. Then there is the continued burden on resources like time and manpower to work on city priority.

I think it is pretty intuitive that impending elections may slow down the work of a governing body and members have to split their time campaigning and the staff are waiting to see who their leaders will be. All of this when we are just coming out of an unprecedented year of adapting and responding to a worldwide emergency.

The argument that our City representatives are trying to extend their term sounds like a disingenuous pretext as best and really doesn't hold up to scrutiny. The same District members who support will already have their terms extended. Why, because there was a substantive conflicting priority, new districting. The same to be said for the At-Large Mayoral seat resulting cost and inefficiencies of a split election in a six-month period are substantive conflicting priorities.

In my opinion, a split election does not sound like a reasonable or efficient decision and the best interest of the government. So, then I put on my political hat. Many of you know that I am the President of the Democratic Women of Mecklenburg County and wonder what this is really about. It appears to be a rather naked partisan attempt to confuse the voters, (inaudible) general voting turn-out, getting out the local Republican Party base and see what sticks. It's basically a gamble with not very good odds. Here is the unusual opportunity it presents that seems a bit self-serving, as mentioned by Reverend Mack and Chairwoman Whitley a candidate can run for At-Large or the Mayor, lose, run again for a District Seat in the Springs. How convenient?

Finally, it accomplishes another recent more chilling partisan goal, the politics of disruption. For the reasons I mentioned earlier splitting the elections will divert time, energy, attention, and resources for the actual work of good government for which we have elected this Council to do. I hope you will all vote against this proposal and I thank each of you for your public service.

**Arthur Griffin, 16822 Crosshaven Drive** said I'm not from Lebanon, I am from the City of Charlotte, North Carolina. A native Charlottean born at Good Samaritan Hospital. I grew up in this wonderful City. I love my City. I think you guys collectively are doing a great job because I've seen a lot of American Cities that we are not moving in the right direction. I really want to thank each and every one of you for your commitment and dedication to the citizens of Mecklenburg County. Tonight, I am here to speak to agenda Item 16 and respectfully I am asking the Council to have one Municipal Election next year and not to bifurcate the electoral process.

There are probably a dozen reasons, but I want to make two observations. June 22<sup>nd</sup>, Michael Dickerson made a presentation to the Mecklenburg County Board of County Commissioners. During his presentation on Senate Bill 722, he talked about Municipal Elections here locally. Now, I love each and every one of you, and please don't take this the wrong way, but Municipal Elections here in Charlotte even before you guys got on 20, 30, 40 years ago, just have a local voter turn-out and local voter participation. If you create a partial election or bifurcate this electoral process, I believe you will have even fewer citizens participating. You don't want less voter participation. We want greater voter participation. When there is a chance to support greater voter participation I want to support that policy. Rather than supporting a policy with the potential to suppress it. If everyone was running as normal, no problem.

Second observation. Many of you have lived in this City for a long time. I have lived here for a very long time. Why do the City Council, County Commission, and Schoolboard always pick November or for Bond Referendums, or for tax issues? Because that is when we have the greatest participation of voters. I remember we were kind of arrogant back in '95 and decided to have a Bond Referendum in May. Guess what? The Bond Referendum failed. For the first time in many many years, a Bond Referendum failed in this City simply because of a small group can really manipulate the outcomes when fewer people are participating in the electoral process. I have a number of other observations. My time is short, I will come back to my original request I'm asking you to support one election.

**Stephanie Sneed, 2506 Vail Avenue** said I am here on behalf of the Black Political Caucus Charlotte Mecklenburg. As the leading non-partisan political organization addressing issues pertinent to black voters in Charlotte since 1965 the BPC has determined that it is the best interest of voters to delay elections for the Mayor and City Council At-Large Seats until 2022.

The definition of voter suppression is a strategy used to influence the outcome of elections by discouraging or preventing specific groups of people from voting. Holding two different elections for City Council will have a suppressive and disenfranchising impact on voters. This is especially true with a 2021 compressed election cycle that will limit voter education and early voting opportunities for a primary that will take place a mere 30 days after filing for candidate closes. Therefore, the early voting period will be limited. As we know up to 70% of black voters in North Carolina vote early. This is not only an issue for black voters, but the elderly, students, and individuals with disabilities often vote early as well.

Further, the City Council has a responsibility to the voters to have the most physically responsible opportunities to increase voter participation. Holding two elections will be Counter intuitive in that it will require taxpayers to incur a \$340,000 cost for an unbudgeted election. It must be noted and it can not be forgotten that for almost a year the representation has been made that elections would be delayed. Across the nation, voter suppression tactics are being deployed to prevent and discourage maximum voter participation. The City Council must not subscribe to this practice. This is an opportunity for the City of Charlotte to be an example in the state of North Carolina by assuring election processes that are unencumbered and allow for maximum participation for both candidates and voters. This issue is important to black voters and therefore it is important to the BPC that elected officials support issues germane to black voters. These elections must be delayed.

**LaWana Mayfield, 1513 Neel Place** said it has been good seeing everyone. So, I'm going to stick to my script. Thank you, Mayor, City Manager, Council for hearing from us, the residence this evening. As has been expressed this vote is important to our community. I ask you to vote yes to move forward with a complete election to ensure transparency in the process. As it happens too many times, unfortunately, it seems the party politics seems to hijack a particular narrative. I have heard and I understand the concerns of some regarding splitting the election between At-Large and Mayor being on the 2021 ballot and District on the 2022 ballot as there may be current members that will run in both elections depending on the election results.

The current cycle for 2021 is slated unfortunately for filing July 2<sup>nd</sup>, Friday with the September primary which is the standard. Many municipalities across the state have opted to move forward with the elections so you all are faced with an opportunity. I support the full Council election as a former member of this body so that the residents who choose to run will be able to move forward with their campaigns and the community can vote on the candidate of their choice. The City staff is more than capable to draw the necessary lines that reflect our growth and I say this as a proud Democrat. Charlotte has an election annually and although I feel that the 2021 elections should not be negated due to a previous White House Executive Leadership inability to provide an accurate Census count. I can not in good conscience support the financial cost that two elections would involve.

**Janice Robinson, 15304 McClure Bridge Road** said I Chair Precinct 148 out in Ballantyne, one of the largest precincts in the State of North Carolina. I am also Secretary of the Mecklenburg County Democratic Party and a Co-convener of the Black Women of South Mecklenburg, a community organizing group. I'm going to ask that you vote no, to separating out the Mayoral and At-Large races. There is already too much chaos with the dates for our municipal races, which by the way is a result of the Trump Administration screwing with the Census. For those of us on the ground trying to educate voters, this additional chaos will only drive them further away from participating in this important civic duty.

Almost every week we are still hearing different dates for the municipal elections period. We do not need more chaos by dividing these races. So, I simply ask that you vote no to bifurcating the Mayor and the At-Large races.

**The following persons submitted written comments regarding this item pursuant to S.L. 2020-3, SB 704. To review comments in their entirety, contact the City Clerk's Office.**

**Larry Bumgarner, [larry@unaffiliated.us](mailto:larry@unaffiliated.us)**

**Paul Dickson, [pkdickson04@yahoo.com](mailto:pkdickson04@yahoo.com)**

Motion was made by Councilmember Graham, seconded by Councilmember Newton, to delay the At-Large and Mayoral election until 2022.
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**Mayor Lyles** said I understand by doing this there is no action required. It is just the discussion around this dais to see if the majority supports it. It would take six votes to pass this because that's what it takes. Mr. Baker, would you clarify what we are doing here?

**Patrick Baker, City Attorney** said just to be clear you don't have to take any action to push the At-Large races to March. If you're going to take any action it would be to have the At-Large go forward in November.

Mayor Lyles said so you have heard from the speakers from the public. I guess the question would be Mr. Graham would you withdraw your motion please?

Councilmember Graham withdrew his motion.

Councilmember Newton withdrew his second to the motion.

**Councilmember Newton** said I actually do appreciate that point of clarification. That was going to be my first question. I had a question and a comment. That question was going to really I think center on that and what we are trying to decide here. I know that Ed a moment ago said that the question before us really is whether or not we are going to notify the Board of Elections if we want to do the November election and so in that regard, there would need to be six affirmative votes to move forward on that. Without those votes we don't move forward at all meaning that we would have a non-bifurcated, so a unified election next year. I just wanted to make that clear. So, having said that I think the issue for us today isn't whether or not the goal post would be changed, right. If we have this election in November, the fact is that the goal post has already been changed. We are looking at a new election through no decision of our own, but a new election regardless next year and I think that really begs the question does it make sense here for us to then have two when we normally have one and we have no choice but to have that one next year anyway. If that's the case do we want to move forward burdening taxpayers to the tune \$340,000 plus to make an exception to what we would normally do anyway and having one election?

I think for me when I have considered this question before us I've asked myself what is the expectation we set for the general public? We have discussed this as a Council for months now. I remember months ago us talking about where we would be, right. What our expectations as Council is? I don't recall us every once saying that we would be having an election in November. Every single time we have said as a Council for months possibly longer than that, that the election would be next year. I think for that reason I find this to be really ripe for confusion. I find this to be ripe from the standpoint of potentially certainly disenfranchising voters who are going to have to figure this out on their own. Kind of on the fly. It may be a little later in the game than anyone would be thinking. That already have a preexisting expectation, but certainly from the standpoint of candidates as well whomever that might be. It might be our incumbents. It might be candidates from the general public that now are going to have to scramble because everyone's expectation was that we would be having these elections next year. I think under those circumstances certainly I am going to be voting to have a non-bifurcated. So, a unified election next year, because I think under the circumstances because of the expectations we've set, because of fairness for voters, for candidates, then certainly from the standpoint of being responsible fiscally to the citizens of Charlotte, is the right thing to do.

Mayor Lyles said so I want to restate for the Attorney's office that we have to not take a vote, but I think that this would be a comment time. So, you don't have to vote on it.

Mr. Newton said so I won't be voting on it.

**Councilmember Johnson** said it was important to hear from the public on this issue. As was stated numerous times the reason we are in this position is because of Trump's mishandling of the Census. This is not something that we choose. So, we have heard from the people. We've heard from the League Women Voters, the Democratic Women, the County Democratic Party, the black women of South Mecklenburg. We've heard from former Councilmembers, good to see you, the BPC, and the NAACP. We've also heard from the Republicans. We've heard from the RNC. We have also heard from the public. So, thank you all for coming out.

We the people have spoken as far as I am concerned I will be supporting the delay of the vote as well. So, I think that we have heard from our public and as far as the At-Large constituencies that I as a black woman democrat report to and many of us do report to our voters who hold us accountable, I would vote to delay and not bifurcate the election.

**Councilmember Driggs** said I just wanted to clarify Mr. Newton's point when we were talking about next year the discussion whether it was this year or next year and whether we proceed with an election in spite of not having the Census results. So, I don't think

that conversation is relevant to the decision we are making right now which is about bifurcation. I will just mention the Census Bureau provided a whole bunch of reasons why they had a hard time including COVID. So, making this so political strikes me as inappropriate. There were I think operational reasons why it was hard to get it done and the default is that the election takes place this year and the District people can't do it this year because it was a circumstance but why that implies that we can't have any elections this year. I recognize there are issues about turnout and stuff like that, but there is a basic timeline on which these elections are supposed to take place and I don't see a good reason why some of us can't run this year.

**Councilmember Phipps** said several things that concerned me about the bifurcated vote and many of us have been spoken to so eloquently by the speakers. I'm concerned over the cost for sure and the lack of the funds budgeted in the most recent budget that we approved that we did not include any funds for an election this year. I don't know given that where we would get that money. I guess that would be something if we did this that we would have to figure out.

Also, I just got back on the Council in February and all I have been hearing is like because of the Census the vote is going to be next year. So, that's what we were going with. So, I don't know from a transparency standpoint how did we get to this language being included in the vote. One of the things in reading the actual language of the vote, one of the things that caught my eye being that I guess that I'm the only one on this dais probably that have experienced a second primary back in 2013. But one of the provisions in this Bill is that a second primary would be allowed if we bifurcated the vote in 2021, but it wouldn't be allowed in 2022. So, to me, that would add another layer of possibility for voters with that differentiation and treatment of the second primary that it's still another opportunity to perpetuate a low voter turnout in the event that a second primary was needed. It's just too much going on too soon with all of the things that we have. The confusion, even talking with some of my constituents over the weekend. They are confused. They are thinking that we're going to stagger terms. They don't realize that this is just a bridge to the same schedule that we've been having all along. But I think that it's appropriate that we would move all elections to the 2022 timeframe.

**Councilmember Bokhari** said the writing is on the wall of how you guys are going to vote. So, I'll be brief. I'm just shocked by the level of rhetoric around the confusion and voter suppression. When you say it like this I hope it's clear to everyone out there holding the elections on schedule as we have every odd year in modern history for City Council is somehow going to make voter suppression a thing or confuse people. So, just let that sink in for the first moment. The other thing that is mind-boggling to me is that somehow there is a lot of people around this dais that care about fiscal responsibility all of a sudden. So, I'll just level set that out.

Mayor Lyles said that's why I said this is time for the Council. Mr. Bokhari should be heard, please. Let's respect that.

Mr. Bokhari said the \$340,000 huge price tag that people are clutching pearls over right now is very very much nothing more than the exact dollar amount that they just gave themselves raises for, for one year, not infinity. So, don't fall for that either. This is very much a group of people who spent all weekend calling around rallying up grassroots folks to come out here so they could point to them and say, see they don't want us to have the election on schedule. So, that's going to happen now. I will tell you that if they think oh all of the sudden equity is going to be achieved. Let me tell you how it's going to be achieved. It's going to be achieved in the general election that now will be in the second primary runoff next year. If you're wondering when is the last time we used one of those? It's been over 10 years and the last time we did it there were about 7,000 votes cast Mecklenburg wide. So, if you want to know who is confusing people and all of that let me just tell you it isn't the people who try to do the right thing. Which was not abuse the constitution and give the voters an ability to have their voices heard for the people who have given themselves raises, voted to abolish single-family zoning, punted on homelessness solutions that actually matter, and ultimately put the NDO (Non-Discrimination Ordinance) on a shelf and didn't touch it until a group of Republicans did. Oh, that was in the last



month. Just remember the voters who want to hold the elected officials who have done all of those things accountable, there going to have their day and that's either going to be in November or more likely after this vote that I am going to now make a motion for a cause we see the writing on the wall, that will be in April. Just for the record, I was never going to run for anything else which was what they were all saying that was going to be done.

Motion was made by Councilmember Bokhari, seconded by Councilmember Driggs, to hold the election as scheduled in the Fall.

Mr. Bokhari said I'll pass it to Malcolm Graham who conveniently waited until after I spoke to do his normal rigamarole. By all means his faces the whole time. Give me a break. The respect this dude gives. Zero.

Mayor Lyles said respect I ask from the audience for you.

Mr. Bokhari said anyone who has seen his faces over the last month knows the amount of respect Malcolm Graham has for anyone other than himself and his political career.

Mayor Lyles said this meeting is going to take a five-minute break.

The meeting was recessed at 7:37 p.m. for a break and reconvened at 7:46 p.m.

**Councilmember Graham** said over 20 years I have never ever called out a member of Council or a member of the State Senate or someone in my church group. I just don't do that. It's not appropriate, and I won't do that tonight. But I will make some comments and 10 minutes ago I wasn't going to say anything. I was just going to let it die on the vine, but I will.

I think it's really important that we are not intellectually dishonest when we come before the people. I think it's really important that we face up to what we have done or what we are going to do and not try to somehow believe that (inaudible) you on the white horse because it's not appropriate. It's not inappropriate to suggest to the public that somehow that we voted ourselves a raise and which we did, but not putting into content that there was a citizen group that met for over seven, eight months and benchmarked it against other communities throughout the country here in North Carolina. The Council talked about it for almost a year before they actually implemented it. We voted it as part of the budget.

I think content really matters. I think it's intellectually dishonest to say we voted ourselves a raise. I think it's intellectually dishonest to say that on a 354-page planning document that's aspirational in nature that creates a framework for our community that somehow the sky is going fall because the Council majority passed it without putting into content that some neighborhoods especially in six and seven have neighborhood covenanted that won't even be impacted by it. I think that's intellectually dishonest. I think it's really intellectually dishonest to say that somehow the Non-Discrimination Ordinance, that we ignored it. The Council has established priorities. We said we would focus on the 2040 Plan. We said we would focus on the budget. We said we would focus on the source of income discrimination, and we said we would take up this issue in August. So, I look forward to receiving the recommendations from my colleagues, the Mayor Pro Tem, and Councilmember Egleston when it arrives.

I think it's intellectually dishonest to say that we ignored it. I think it's intellectually dishonest to say that we are not doing anything about homelessness, when at least I know I have been dealing with this issue behind the scenes since last October Mr. Manager with an editorial in January trying to force people to do something about it. Part of what I didn't do was said I was going to arrest people or send them to jail for helping people. I think that is intellectually dishonest to say that. I think it's intellectually dishonest to say that somehow when you've gone to Raleigh and slip something in a Bill at the last minute and that was reported in the media and I've served in Raleigh for 10 years and I

know when something slips in the Bill at the last moment. It's not to benefit the Bill. It's to benefit something or somebody and then to come back, and then wave in our faces somehow we are not living up to what Republicans in Raleigh think we should do in reference to elections. That's the same party that has created artificial barriers to prevent people of color, specifically Democrats who are one and the same, right. Not all, but 89% from voting and suggest that somehow they are helping us out. Dishonest. The fact of the matter is it's been laid out by the speakers. It's been laid out by my colleagues that we save \$400,000 (inaudible) physically conservative with the taxpayer money, right that will not bifurcate the election because seven of the members already have extended terms without us doing nothing, right. So, all we are saying is that the Mayor and the At-Large elections should be held with everybody else. It is unfair for individuals who took our words to heart took media reports to heart that this election will be delayed only to change our minds days before filing where they did no prep work, planning, or preparation to run an election. The only person that it benefits it's incumbents or candidates who have money in their bank accounts and those who want two shots at the pie. So, who have to ask who does this benefit, right? It certainly doesn't benefit the people of the City. Confusion, disorder, disruption. So, I just hope that as colleagues and my facial expression just represents my frustration based on some of the conversations around this dais. My frustration with having done this before, knowing that it's been a hell of a year and a half, right with this Council.

I think it's really important that we be honest intellectually, right. I think people are just like we say in Charleston falling for the Okie, doke, right. It is what it is.

Mayor Lyles said I don't think that there is other discussion on this topic. Is there a discussion? I think everyone has had a chance to speak. There was a motion made to have a bifurcated election to have the Mayor and At-Large members of the Council run on the November election schedule.

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

YEAS: Councilmembers Bokhari, and Driggs.

NAYS: Councilmembers Graham, Johnson, Newton, Phipps, and Winston.

The motion was denied.

Mayor Lyles said thanks for all of you that are participating and all of you that watched this deliberation at home and to our media thanks for covering it. I know this is an important decision for our voters, our residence, and anyone that tangentially interested in running for office as well as those that are really great observers of who we are and what we do. So, thank you for the coverage. I look forward to watching later on or reading later on.

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#### **ITEM NO. 17: UPDATE VIRTUAL MEETINGS PROVISIONS**

Motion was made by Councilmember Johnson, seconded by Councilmember Newton, to Approve the Budget and Effectiveness Council Committee's recommendations to amend the Rules of Procedure for the Charlotte City Council by updating: (A) Rule 28 (a) (Telephonic and electronic attendance at meetings) (Committee meetings) to amend the notice requirement for electronic attendance at Council Committee meetings from 48 hours in advance to "two hours in advance"; (B) Rule 28 (a) to amend the language for electronic attendance by deleting "when they are unable, by reason of illness or injury, to attend in person" and adding "provided that at least three members of the committee shall be present in person"; (C) Rule 28 (b) (Council meetings) to amend reasons for electronic attendance to add "or a Council member is unable to attend due to a Council member's medical condition, illness or family emergency"; (D) Rule 28 (b) to amend by adding "Council members attending electronically are entitled to vote and fully participate in the business of the Council meeting"; and (E) Rule 5 (g) (Addressing Council) to amend by adding a subsection that "When Council is meeting in person, any member of the public who plans to address Council during the meeting shall also be present in person at the Council meeting."

**Mayor Lyles**, I guess my question would be if they are doing this for electronic attendance, I don't know from the staff how long it takes to set up the equipment. Is that okay?

**Councilmember Winston** said I would like to make a motion to defer items 17 A, B, C, D, and E until the staff and Council are able to do some more research and compare that to standard practices across the state and across the country.

Substitute motion was made by Councilmember Winston, seconded by Councilmember Driggs, to defer action to approve the Budget and Effectiveness Council Committee's recommendations to amend the Rules of Procedure for the Charlotte City Council by updating: (A) Rule 28 (a) (Telephonic and electronic attendance at meetings) (Committee meetings) to amend the notice requirement for electronic attendance at Council Committee meetings from 48 hours in advance to "two hours in advance"; (B) Rule 28 (a) to amend the language for electronic attendance by deleting "when they are unable, by reason of illness or injury, to attend in person" and adding "provided that at least three members of the committee shall be present in person"; (C) Rule 28 (b) (Council meetings) to amend reasons for electronic attendance to add "or a Council member is unable to attend due to a Council member's medical condition, illness or family emergency"; (D) Rule 28 (b) to amend by adding "Council members attending electronically are entitled to vote and fully participate in the business of the Council meeting"; and (E) Rule 5 (g) (Addressing Council) to amend by adding a subsection that "When Council is meeting in person, any member of the public who plans to address Council during the meeting shall also be present in person at the Council meeting."

Mayor Lyles said the deferral would be to go back to Council Committee to look at these to further compare for more data on comparable situations for best practices across the state and across the nation.

**Councilmember Newton** said I just wanted to briefly comment on this and say that I see A-E as an improvement upon our current virtual meeting provisions and I don't see this as something that would exclude. So, adopting these is something that would necessarily exclude continued discussion in Committee on them. That's why I'm willing and I'm ready to move forward on adopting these and at the same time if the Committee wants to continue to review to add additional updates to this, I think they can do that. So, that's where I'm at on this.

**Councilmember Johnson** said I agree. The Legal Department made a presentation. It's not like we didn't ask a question during the Committee meeting. I'm willing to defer especially since all of the Council is not here anyway. I don't know that it would pass

anyway. I would ask when we talk about it if we can take a look at provision E because I do want to consider that the public is still going to be allowed to attend virtually. So, I'm happy. I'll accept.

**Councilmember Driggs** said I thought that in our committee meeting that one didn't get enough attention. So, that would be part of my rationale for wanting to defer. I think we should talk about that some more.

Ms. Johnson said okay.

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

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#### **ITEM NO. 18: ESTABLISH AN ARTS AND CULTURE ADVISORY BOARD**

Motion was made by Councilmember Driggs, seconded by Councilmember Winston and carried unanimously to approve the Arts and Culture Ad-Hoc Committee's recommendation to establish an Arts and Culture Advisory Board.

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#### **ITEM NO. 19: ADOPTION OF PROPOSED AMENDMENTS TO DEVELOPMENT-RELATED ORDINANCES**

Motion was made by Councilmember Driggs, seconded by Councilmember Johnson to adopt Ordinance No. 93, proposed amendments to the following City Code of Ordinances to bring them into compliance with new North Carolina General Statute legislation (Chapter 160D) related to development by the July 1, 2021, deadline, Chapter 9 - Floodplain Regulations, Chapter 11 - Housing, Chapter 17 - Soil Erosion and Sedimentation Control, Chapter 18 - Article IV - Post-Construction Stormwater, and Chapter 19 - Streets, Sidewalks and Other Public Places.

**Councilmember Phipps** said I think one of the things I thought I heard mentioned, I think it might have been Intergovernmental Relations Committee Meeting that I'm wondering if there's a process through which we could periodically be apprised of any such measures being debated and discussed at the General Assembly that could impact our operations here in Charlotte. I don't know. We were told that different departments get an opportunity to weigh in, but I think we need to institute some sort of process by which we can be informed of how those discussions are going and just be familiar with the different matters that's coming before the General Assembly, then approving it.

Right now as it now stands there basically we have to adopt these ordinances by virtue of the fact that they have been adjusted and approved by our parents, the General Assembly. So, could we have a process by which we would be apprised of comments that are being developed and responded to as a result of actions taken? That's one of the things that I am wondering if we could institute in some way.

**Mayor Lyles** said I guess Mr. Jones, that would be where the staff would try to provide information. Is that the question?

Mr. Phipps said I would think that would be a good start that says hey, we got these things that the General Assembly were making changes. How does this change affect what we are doing now? Is it detrimental? Does it enhance our operations or do we see it as something that might be a hindrance in some way? So, just to be apprised and recognize how the factions could affect us in a more assertive way than what has happened in the past.

Mayor Lyles said so after it's effective July 1, maybe within six to eight, or 10 months we could come back and see what's going on? So, not immediately but get a track record and see how the staff is seeing about it. I think the Manager is saying yes to that.

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

The ordinance is recorded in full in Ordinance Book 64, at Page(s) 111-260.

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## BUSINESS

### ITEM NO. 20: SUPPORT NORTH CAROLINA DEPARTMENT OF TRANSPORTATION SAFETY PROJECTS

Motion was made by Councilmember Driggs, seconded by Councilmember Phipps and carried unanimously to adopt a resolution supporting North Carolina Department of Transportation safety projects at NC 49 (South Tryon Street) at General Drive and NC 49 (South Tryon Street) at Nevada Boulevard to improve traffic safety in support of the Vision Zero Action Plan.

The resolution is recorded in full in Resolution Book 51, at Pages 690.

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### ITEM NO. 21: ACCEPTANCE OF A PETCO LOVE FOUNDATION SPONSORSHIP

Motion was made by Councilmember Johnson, seconded by Councilmember Newton to adopt a resolution accept a sponsorship in the amount of \$150,000 from PetCo Love Foundation for the Animal Care and Control Division of the Charlotte-Mecklenburg Police Department.

**Councilmember Phipps** said this \$150,000 that's going to be appropriated for one year. So, what happens at the end of that year?

Mayor Lyles said we have to buy more heartworm medication from the City Budget. It's about heartworm medication is the purpose. So, we have a vet on staff, she would just order from our budget. Did I say that correctly?

**Marcus Jones, City Manager** said yes.

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

The resolution is recorded in full in Resolution Book 51, at Pages 691-702.

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### ITEM NO.22: ANIMAL CARE AND CONTROL SERVICES INTERLOCAL AGREEMENTS

Motion was made by Councilmember Johnson, seconded by Councilmember Driggs and carried unanimously to adopt a resolution (A) ratifying Interlocal Agreements between Charlotte-Mecklenburg Police Department's Animal Care and Control Division and Mecklenburg County Towns of Cornelius, Davidson, Huntersville, Matthews, Mint Hill, and Pineville to provide animal care and control-related services, and (B) Authorize the City Manager to amend the agreements consistent with the purpose for which the agreements were approved.

The resolution is recorded in full in Resolution Book 51, at Pages 703-744.

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**ITEM NO. 23: DONATION OF COMMUNICATIONS GEAR**

Motion was made by Councilmember Driggs, seconded by Councilmember Newton to adopt a resolution authorizing the donation of communications gear to the Gastonia Police Department.

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

YEAS: Councilmembers Bokhari, Driggs, Graham, Johnson, Newton, and Phipps.

NAYS: Councilmember Winston.

The resolution is recorded in full in Resolution Book 51, at Pages 745-746.

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**ITEM NO. 24: BUSINESS INVESTMENT GRANT FOR ROBINHOOD MARKETS, INC.**

Motion was made by Councilmember Driggs, seconded by Councilmember Bokhari and carried unanimously to approve the city's Business Investment Grant to Robinhood Markets, Inc. for not to exceed amount of \$157,726 over five years.

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**ITEM NO. 25: APPROPRIATE PRIVATE DEVELOPER FUNDS**

Motion was made by Councilmember Driggs, seconded by Councilmember Johnson and carried unanimously to Adopt Budget Ordinance No. 94-X, (A) appropriating \$185,650 in private developer funds for traffic signal installations and improvements to the General Capital Projects Fund, and (B) Adopt Budget Ordinance No. 95-X appropriating \$62,500 in supplemental developer funds for traffic signal installations and improvements on projects currently under construction to the General Capital Projects Fund.

The ordinance is recorded in full in Ordinance Book 64, at Page(s) 261-262.

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**ITEM NO. 26: RESOLUTION TO CLOSE A PORTION OF GLORYLAND AVENUE**

Motion was made by Councilmember Driggs, seconded by Councilmember Phipps and carried unanimously to adopt a resolution to close a portion of Gloryland Avenue.

The resolution is recorded in full in Resolution Book 51, at Pages 747-751.

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**ITEM NO. 27: RESOLUTION TO CLOSE A PORTION OF SOUTH GRAHAM STREET**

Motion was made by Councilmember Driggs, seconded by Councilmember Johnson and carried unanimously to adopt a resolution to close a portion of South Graham Street.

The resolution is recorded in full in Resolution Book 51, at Pages 752-755.

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## **APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

### **ITEM NO. 28: APPOINTMENTS TO THE BECHTLER ARTS FOUNDATION BOARD**

The following nominees were considered for one appointment for a three-year term beginning July 1, 2021, and ending June 30, 2024:

- Renemary Dubois, nominated by Councilmember Driggs and Winston
- Sam R Spencer, nominated by Councilmember Ajmera, Bokhari, Egleston, and Eiselt

Results of the first ballot were recorded as follows:

- Renemary Dubois, 4 votes – Councilmembers Ajmera, Driggs, Newton and Watlington.
- Sam Spencer, 6 votes – Councilmembers Bokhari, Egleston, Graham, Johnson, Phipps, and Winston.

Sam R Spencer was appointed.

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### **ITEM NO. 29: APPOINTMENTS TO THE CHARLOTTE BUSINESS INCLUSION ADVISORY**

The following nominees were considered for one appointment for a partial term beginning upon appointment and ending February 28, 2022:

- Krisha Chachra, nominated by Council members Ajmera, Graham, and Phipps
- Stephanie Moore Hand, nominated by Council members Bokhari, Egleston, Eiselt, and Watlington
- Victor Perez, nominated by Council members Driggs, Johnson, Newton, and Winston

Results of the first ballot were recorded as follows:

- Krisha Chachra, 3 votes – Councilmembers Driggs, Graham, and Phipps
- Stephanie Moore Hand 3 votes – Councilmembers Ajmera, Bokhari, Egleston, and Watlington
- Victor Perez 3 votes – Councilmembers Johnson, Newton and Winston.

Since no candidate received at least six votes the appointment will come back in a July Business Meeting.

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### **ITEM NO. 30: APPOINTMENTS TO THE HISTORIC LANDMARKS COMMISSION**

The following nominees were considered for one appointment for a three-year term beginning July 17, 2021, and ending July 16, 2024:

- David Allen, nominated by Council members Ajmera and Phipps
- Joshua Shope, nominated by Council members Bokhari, Egleston, and Winston

Results of the first ballot were recorded as follows:

- David Allen, 2 vote – Councilmembers Newton and Phipps
- Joshua Shope 7 votes – Councilmembers Ajmera, Bokhari, Driggs, Egleston, Graham, Johnson and Winston.

Joshua Shope was appointed.

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#### **ITEM NO. 31: APPOINTMENTS TO THE PLANNING COMMISSION**

The following nominees were considered one appointment for a three-year term beginning July 1, 2021, and ending June 30, 2024:

- Hamilton Cort, nominated by Councilmembers Egleston, Eiselt, and Winston
- Ronnie Harvey, nominated by Councilmembers Bokhari, Graham, Johnson, Phipps, and Watlington

Results of the first ballot were recorded as follows:

- Hamilton Cort, 3 votes – Councilmembers Driggs, Egleston and Winston
- Ronnie Harvey, 7 votes – Councilmembers Ajmera, Bokhari, Graham, Johnson, Newton, Phipps and Watlington.

Ronnie Harvey was appointed.

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#### **ITEM NO. 32: APPOINTMENTS TO THE ZONING BOARD OF ADJUSTMENT**

The following nominees were considered for one appointment for a three-year term beginning upon appointment and ending January 31, 2024:

- Roderick Davis, nominated by Council members Graham and Winston
- Mary Kelly, nominated by Council members Eiselt, Johnson, and Newton

Results of the first ballot were recorded as follows:

- Roderick Davis, 4 votes – Councilmembers Ajmera, Bokhari, Graham and Winston
- Mary A Kelly, 5 votes - Councilmembers Driggs, Egleston, Johnson, Newton and Phipps.

Since no candidate received at least six votes the appointment will come back in a July Business Meeting.

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#### **ITEM NO. 15: CITY MANAGER'S REPORT**

**Councilmember Winston** said I have to be the potential spoiler, but I thought we had delayed update on the American Recovery Act that the Manager was supposed to give us.

**Mayor Lyles** said Mr. Jones has suggested that he mail something out to all of us with an outline. It is not going to go into effect immediately; we've got time so can we maybe decide if we are going to do that. I think it would actually be better for everyone to hear it at one time. So, maybe at the July meeting we can add a 30-minute timeframe to it and do it a half hour before he Zoning Meeting starts. Would a half hour be sufficient Mr. Jones?



**Councilmember Johnson** said I reached out to Darlene Heater and some folks on a call we just had about Sugar Creek and I-85 and told them to watch tonight's meeting because we would have an update, so it is being delayed and we will discuss it on July 19<sup>th</sup>.

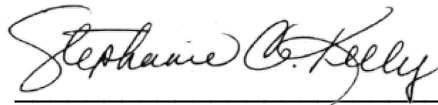
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**Mayor Lyles** said everyone have a good 4<sup>th</sup> of July, enjoy the time with friends and family and we will see each other at the next Zoning Meeting.

\* \* \* \* \*

### ADJOURNMENT

The meeting was adjourned at 8:16 p.m.



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Stephanie C. Kelly, City Clerk, MMC, NCCMC

Length of Meeting: 3 Hours, 14 Minutes  
Minutes Completed: September 09, 2021