The City Council of the City of Charlotte, North Carolina convened for an Action Review meeting on Monday, October 14, 2019 at 5:04 p.m. in Room 267 of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Dimple Ajmera, Tariq Bokhari, Ed Driggs, Larken Egleston, Julie Eiselt, Justin Harlow, Greg Phipps and Braxton Winston II.

**ABSENT UNTIL NOTED:** Councilmembers LaWana Mayfield, James Mitchell and Matt Newton.

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

**Mayor Lyles** said let’s go over the Consent Agenda and please note that staff has settled Items Nos. 50, 51 and 52. Are there any items that the Council would like to have a separate vote from the Consent Agenda?

**Councilmember Winston** said I would like to have a separate vote on Item No 42.

**Councilmember Phipps** said I would like to comment on Item No. 31.

Mayor Lyles said are there questions that you would like the staff to be prepared to address on the separate vote for the In Rem that you would like to ask so they can have the information before we go to the Chamber?

**Councilmember Egleston** said my comments were answered in the comments that we got from staff.

Mr. Winston said the questions that I would have had were the ones Mr. Egleston expressed.

Mayor Lyles said this is the one that I asked if we could find out who owned the property and we cannot; they are not registered, and they could not find the name associated with the company. So, my understanding is they are not registered with the state.

**Councilmember Harlow** said it is in the heart of Biddleville; I know who owns this property. His name is J.B. We have a direct phone number to him; many people in the neighborhood knows who he is. He has appealed to the Housing Appeals Board for this, and I am actually surprised he is not signed up to speak on this item tonight. He has tried to fight this, but he has not done any improvements to the house at all for many years. I’m not sure what the concerns are from other members of the Council.

Mr. Egleston said mine was just looking at the nature of the home, it didn’t seem as in disrepair as we are accustomed to seeing things that come before us for In Rem. It actually looks like it has got decent bones, maybe it doesn’t, but historic neighborhood, decently historic house in visually decent shape. It seemed different than most of the ones we see.

Mr. Winston said along the same lines of Mr. Egleston; it seems like for whatever reason the work is not being done.

Mayor Lyles said I think the picture from the real estate on Polaris was done in 2013; what is the appeal date for it?

Mr. Harlow said the appeal date was this summer, in June, but there have been no improvements to this property. That dumpster has been out there for at least 2.5 years; this thing has been unoccupied for a long time. The bones look good from the outside, but I’ve walked through this myself.

Mr. Egleston said as the District Rep, you feel confident this is the right path?

Mr. Harlow said I feel definitely this is the right path.
ITEM NO. 2: AGENDA OVERVIEW

Marcus Jones, City Manager said tonight we have three items, and I would say it is in this area of mobility, accessibility, and connectivity. The items for the Action Briefing tonight will be before you in two-weeks at a Business Meeting; they are the Airport Lobby renovation that we will have a presentation from Jack, as well as the LYNX Silver Line Design Update and the Regional Transit Plan Update, both by John Mute. Prior to John coming up, I would like Taiwo to provide a bit of a backdrop of what we are trying to achieve both with Items 4 and 5. If there aren’t any questions we will turn it over to Jack.

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Jack Christine, Deputy Aviation Director said thank you for having us tonight; we are here to talk with you about the Terminal Lobby Expansion Project. We want to share the vision and phasing and next steps for the project, which is imminent and also make sure that everyone knows that on October 28th we are going to be asking for Council approval for a number of actions related to the Terminal Lobby Expansion, because we are now at a point where we are ready to begin construction.

The purpose of the Terminal Lobby Expansion is to really focus on transforming and modernizing our front door. This is any Thursday afternoon, Friday afternoon, and Saturday morning during the summer time, some variation of this. This is not a doctored photo; this is something that actually did take place at one point over the last couple of years. This is not the customer experience we want for our local customers. The Terminal Lobby was opened in 1982; the lobby that we used in 1982 is the same one that we use today. In 1982, we served five million local passengers; last year we served 14 million in that same building. Clearly, we are at a point where we need to do something to enhance the customer experience in this particular space, provide additional space and renovate existing space to handle that.

Three-years ago we began a planning and design process to do that expansion and renovation to the Terminal Lobby to enhance our customer experience to provide an experience that we believe is worthy of our local passengers who use our Airport. The project is a challenge; however, because in order for us to do this, we have to expand the building and renovate it while we still use it every day. We think it is extremely important that we help everyone understand what it is we are about to embark on and why we are doing it, so we can get ourselves to something that looks more like, this than this. We are happy to bring to you tonight a glimpse of what that looks like. This video that you are about to see is a very quick snapshot of what the phasing plan is going to look like for how we are going to expand and renovate the lobby.

A short video was shown.

The Terminal Lobby Expansion represents an expansion of the building as well as renovating all the pre-security space, is broken up into six major phases. The first phase of which is some of the utility work and then mostly interior to the building is the reconstruction of Check Point E, to create a new entrance for the Check Point as well as install TSA automated screening lane technology that is going to help us manage the through foot of our passengers while we do the renovation phases of the project. Phase two and Phase three are the actual expansion of the lobby itself. This is 175,000 square feet of additional space that includes the basement, new baggage claim ticketing and Mezzanine levels. It will be done in two halves; the first half, you see we moved the Queen inside the building and then we cover her up to protect her while we build the rest of the facility. Phases two and three are about a 2.5-year portion of the project. It allows us to move the functions in the Terminal Lobby forward while we renovate the space in the existing lobby.
As we build both halves from the customer perspective, we will have people going into
different doors then we typically have during the normal course of moving through the
building, but all of that is phased in a way to make sure that we have adequate capacity.
When we get to the renovation phases of the project we are going to be working on both
the ticketing and baggage claim levels, replacing the ticket counters, consolidating the
check points and also rebuilding the baggage claim carousels from which the customer
pulls their bags. We have flat devices in the middle of the building that have been there
since 1982. We have replaced them once, but they have now reached the end of their
useful life, so all the new carousels will slope devises like you see there. The lobby itself
is expanded, the checkpoints are consolidated. We are providing a much bigger, much
more open space for the customer. In addition to that, we will also be adding a canopy
system that covers all eight-lanes of the upper level and providing two sky bridges that
will connect our passengers from the fifth level of the parking garage into the Mezzanine
of the new ticket lobby expansion. We will also have two tunnels underneath the
roadway that have already been built as part of the roadway project that will interface
with that Lobby expansion so that we can connect passengers on both the basement
level and on the fifth level of the deck.

That was a 2.5-minute video, and I would love to tell you that I could snap my fingers
and in 2.5-minutes create that. We have been working very hard for the past couple of
years to try and develop a plan that will allow us to do just that but not in 2.5-minutes.
The project, as we have set it up today, is going to take us about 68-months; that is 5.5-
years. Now, the goal is to incrementally add capacity as we move through that 5.5-year
cycle. I mentioned in the video that when we get Phases two and three done, we will
actually gain that capacity, and so that will automatically be, from a customer
perspective, we believe an upgrade to their experience; however, they don’t get the full
benefit of everything until we get the whole project done.

From a project approach perspective, the reason it is so long is because we have to
build this while we still use it. So, the project has been broken into those six phases that
you saw so that we can give the contractor an adequate space to work while still
maintaining both the operation and a certain level of customer experience while we do
this project. In order to make sure that we do meet that customer expectation,
communication is going to be key. So, it is a lot of proactive and sustained
communication, not just at the beginning and close to the end of the project but
sustained throughout the whole life cycle of the work that we are doing so that the
customers understand what we are doing, why we are doing it, when we are doing it
and how that is going to impact their ability to move through the building. We have a
whole team that is going to be focused on that to make sure that we are able to explain
that to our customers and those customers, not only being the traveling public, but also
our tenants who are going to be using the building. We have been working really hard to
put that program together.

The third aspect of the project approach is really very important, is those automated
screening lanes that I mentioned. We first put them into Checkpoint E, but they are also
scheduled to go into the new checkpoints when we get those completed. From TSA’s
perspective, they use a standard screening technology for the baggage that is being
screened at the checkpoint. The automated screening lanes (ASL) represent an
upgrade to that, which processes passengers quicker, but the Airport will purchase
those units and transfer them to the TSA so they can operate and maintain them. So,
when you see your Council action on October 28th, you will see both of those actions in
that Council action to do the acquisition of the units and the transfer to allow them to
operate them. It does us no good for us to have the ASLs and then them not use them.
That is a critical function of how this project is going to be successful.

From a project success standpoint, it doesn’t start now; it actually started about three-
years ago. The team that we have put together to put this project in front of us required
a team approach, and that started with the Planning and Design Team led by Gresham
Smith and Partners and included a number of specialty firms including DAS
Architecture, which is a local architectural firm here in town, Laurene-Rickher & Sorrell,
which is our mechanical engineers, also a local company here. NV5 did our electrical
design, Talbert-Bright & Ellington is a local firm that did our civil design. BNP Associates is a specialty firm that specializes strictly in baggage, and then Arora Engineers has been helping us with our special systems and that includes CCTV, all the different digital wayfinding things that we will have in the new Terminal Lobby, all the special systems that we need in order to make the building operate.

Project development also included the decision to pursue a Construction Manager Risk delivery method. The CMR approach allows us to contract with a joint venture of Holder-Edison Ford-RJ Leeper to provide preconstruction services including cost estimating and project phasing, which is really critically important for our ability to develop a design process that delivered us a viable project. When I say viable, that means not only can we build it, but also can we afford it? It is important to note that the project includes 175,000 square feet of new space and 191,000 square feet space of renovations throughout the existing Lobby. Designer project of this nature required a very focused effort to develop the phasing plan that you saw on the video and the ability to deliver it within the budget. The CMR process was absolutely integral to making that happen.

From a funding perspective, the project is funded through a combination of passenger facility charge revenues, contract facility charge revenues through our rental car program, general Airport revenue bonds and Airport cash. The budget for the project is $600 million with roughly $33.5 million of that awarded over the last three-years for design and preconstruction services. The construction elements of the project will be part of the request for approval on your October 28th agenda, and those elements will include the construction contract with a guaranteed maximum price of $500.2 million and some odd thousand, as well as contracts for inspections and testing, construction administration and some of the specialized equipment including the automated screening lanes for the E checkpoint.

We are really excited to begin this transformation of our front door. While the overall project will take 5.5-years to complete, as I mentioned, our intent is to provide incremental capacity as we continue to work through the project through each of the six phases. We look forward to inviting you to the groundbreaking that we are going to have in December to kick our project off, and for us, this truly is a monumental project, not just for the Airport but for the City and for our local community. We want to celebrate that as we get started and make sure that we get the contractors moving in the right direction. With that, I thank you for your time and attention and I’m happy to answer any questions that you might have.

Councilmember Phipps said I have a general question about the picture you showed of the pre-improvement picture with all the people in the Lobby; do we have any kind of fire-code regulations with that many people being in one confined space?

Mr. Christine said yes, and we work really hard when we get into situations like this where we try and spread the passengers out as much as we can. We will actually open up the doors and get people out of the actual Lobby for a period of time. We will send people to baggage claim. This picture happened to be taken when we were really just coming up into one of the peak times, and so we have a team of folks that work in Terminal Operations that are focused strictly on Lobby management, and their job is to help move passengers where we need them to be moved in order to get them processed as quickly as we can. When you get into a situation like this, you run into challenges where people are coming through the door, and some of them are just trying to get to a checkpoint. Some are trying to get to ticketing, trying to figure out where to send them and get them to the right place and not have them feel like they are just standing in a sea of people is one of our biggest challenges. The way to get that fixed is this project.

Mr. Phipps said so, this is a 5.5-year buildout and internal to the Airport. Are we still going to be having construction on the exterior of the Airport also, the roads and everything? Will that still be going on too?
Mr. Christine said no sir; I’m happy to report that the Terminal curb front roadway project is finishing up in the next couple of weeks. We will start our final traffic shift on October 25th, and that will be completed by the 31st of October and then as far as the front door is concerned, the roadway itself is complete. Now, when that happens on the lower level, we will have all eight-lanes that we will be using. The inner three-lanes will be used for commercial vehicles, the outer five-lanes will be for private vehicles. On the upper level, we will be using the five-lanes that we are using today; the three-lanes that are just now being completed are going to be held in reserve so the contractor has a lay-down area that build the Terminal Lobby expansion. We won’t get those three-lanes until we are at the end of the Terminal Lobby project, but we’ve already seen a huge benefit in having those five-lanes on the upper level. That has made a big difference as far as processing the vehicles that are coming up to the upper level for departures. We are hoping to see a much better through put onto the lower level when we can actually get all eight-lanes open and get the commercial vehicles separated from the private vehicles in the right way. Now, will there still be back-ups? Yes, we peak often, so there will be times when traffic will still continue to back-up some, but that through put is what we are looking for, the speed at which we can move those vehicles through the curb front roadway, and I’m confident that we are going to see some benefits when we open-up that project in two-weeks.

Councilmember Mitchell arrived at 5:25 p.m.

Councilmember Egleston said mine is a timeline question too; you mentioned that the project started two or three-years ago, and I know you said the 68-month timeline. Is that 68-months starting now?

Mr. Christine said yes sir. That is 68-months of construction. All we have done so far is just the planning and design.

Councilmember Driggs said Jack, in our budget we had I think a CIP of $1.5 billion for five-years and then there was a longer-term capital plan involving a bigger number, like $4 billion. Could you explain where the $600 million fits in that context?

Mr. Christine said that was destination CLT, which I neglected to mention that this is part of. That is a $2.5 billion investment that we started back in 2015; this is in that first $2.5 billion worth of investment.

Mr. Driggs said so, there is no change to any conversation we had previously about the Airport’s capital needs as a result of this?

Mr. Christine said no sir; this is project is within budget. We are always evaluating our capital needs for the Airport and they continue to adjust as we continue to grow. As an example, our Master Plan shows a growth rate of about 1.8%; this year we are up 6%, and what that means is we are trying to reevaluate the capital program and bring things forward that we can, so we can start to alleviate some of that pressure we are already feeling as continue to prepare for the forecast of growth that we are going to continue to have.

Mr. Driggs said my second question, we’ve had an experience recently with the Convention Center and in some of our contracting with amounts that came in, even in Contractor at Risk type of situations. So, over a 5.5-year horizon how confident can you be about this budget?

Mr. Christine said I’m very confident about this budget because we have actually bid out at least $300 million of that $500 million of the project. The way that this will work, we have an allowance that is in that $500 million for the work that has not been bid out yet, and we’ve reserved that work, because we want to wait until we are further into the project so the firms that are available, especially CVR firms that are available, will have the ability to bid on that work when comes time to actually do that. What we have done is created the allowance, and we will manage to that allowance. If they come in high, we will value engineer it out, or we will work with the contractor and figure out another
way to do it. If we have to have it we will get it done somehow, but we will make that budget. Driggs said so, there won’t be like a situation where suddenly the subcontractors come in and blow the roof off with their quotes and that requires that we reexamine. We weren’t expecting what happened at the Convention Center either; so, I just want to make sure.

Mr. Christine said we have done a lot of work in cost estimating this project and making sure that the allowance will cover the remaining work that needs to be bid. Now, can I say absolutely we will never be back. No, that would be disingenuous, because you never know what may happen in the market, but our intent is that this project will fall within that $600 million budget. We have allowances in place; we have contingency in place. We are doing everything we can to make sure we are managing this project to the budget that we can handle.

Councilmember Eiselt said has there been any change in process for Uber and Lift?

Mr. Christine said yes, we are evaluating some different ways to deal with Uber and Lift. One of the challenges we have today is because the curb is constrained; there is only two spots for Uber and two spots for Lift for pick-up, and that means that during peak times we have a lot of people standing on the curb waiting to get a TNC ride. When we do the lane switch in the next couple of weeks, they actually will get two-lanes and a whole zone in order to pick-up their passengers, which is a huge improvement to what we have today.

We are also looking at some other options; we are going to test the possibility of putting the TNCs in the bottom floor of the hourly parking deck and try and see if that helps the situation. We’ve got some constraints there that we are working through, but we are shooting to make that test at Christmas time to see what kind of an impact that will have for us. If it is positive then we would push to do that permanently. If that doesn’t work then we are also looking at some other options where we might be able to move them to an off-site lot where we might bus them to that location. That is something that some Airports are starting to consider because of the volume of traffic on the curb and that creating such a bottleneck. I’m hopeful that when we get to doing the traffic shift in the next couple week we will see an improvement just by doing that. That is our hope.

Ms. Eiselt said the other question is about the experience of people when they come into the Airport, especially if they are leaving the Airport, and they don’t know Charlotte very well, but having said that, I find it confusing too, and I’ve gotten some e-mails about the signage, leaving baggage claim. It is a little confusing. The business valet is upstairs, and it is just not very well marked when you come in. Are we doing anything about the signage for where all the different buses are?

Mr. Christine said yes, there is a completely new signage package for the curb itself. The Lobby expansion will have temporary signage that will be installed as we begin the construction because we are going to be moving people around coming in and out different doors throughout the different phases of the project. Yes, there will be additional signage that we are going to put in place to help the passenger navigate and way find through the building, then when we get to the end we will have the full signage package in place, and we’ve already spent a lot of time trying to lay out what that signage needs to say and where it needs to say it to give the passenger a good progression moving them through the building, give them more structure. So, it is not just telling you where to go, it is wayfinding. It is trying to lead you to the right place rather than just give you the information. How you present it, where you present it, all those things have been taken into account as we’ve put together the design.

Councilmember Mitchell said Jack, just two quick questions and if I missed it I apologize. The first one, $600 million is a big project for us, and what are the CBI goals for this particular project? Have we established those?
Mr. Christine said yes, the goals have been established, and I want to make sure I get this right. The SBE goal is 12%; MWBE is 14%, or do I have them reversed? We are meeting or exceeding those goals at this time with the work that has been bid, and we fully intend to do that with the rest of the work. At this point from a dollar perspective, total CBI participation is $78.2 million of the work that has been bid so far.

Mr. Mitchell said I know in conversation with some of the GCs there is another initiative; they are trying to do what they call a workforce development. Can you share with Council what is that initiative and give more information on the 28th?

Mr. Christine said the joint venture really forced their efforts on both workforce development and the CBI Program as we were putting together all the packages. So, the benefit of having the CMR on board a head of time was we did a lot of additional outreach than a lot of past experiences we’ve had with the strict design build type of project, because we had extra time. The contractor held a number of different seminars, networking opportunities trying to put contractors together with sub-contractors to help them understand what they can provide, when they can provide it, what levels they can provide those services. The contractor also held work session on bonding and contracts and all sorts of different things that were geared towards helping the smaller contractors get prepared for a project like this that is a very large project and has a long duration. I think they did a fantastic job in doing that. There was a lot of interest in the market; we saw that in the bids, a lot of the bids that we got. We had multiple bids; we had a lot of participation, but workforce development is a program that they are focused on and they partnered with CPCC, Goodwill, and so they have actually established a program to help folks go into that program to get hired with the sub-contractors with a second and third tier sub-contractors to put them on a path for having gainful employment in trades. I think that is a really big statement for a project of this size to make that level of commitment to do something like that. We are happy with the effort that the team has put in to do that.

Councilmember Newton arrived at 5:32 p.m.

Mayor Lyles said I want to say to you Jack; You probably know every square inch of that Airport, and you are doing a great job, and I want you to know we are really proud of our Airport. We are particularly proud of the work that you are doing to make it the place that we want it to be better than any other Airport than the world, right?

Mr. Christine said thank you very much, very appreciative.

Councilmember Mayfield arrived at 5:35 p.m.

Councilmember Bokhari said with the significant investment like this obviously, the Airport is one of our top assets in the entire region, but are you guys also looking at and understanding the macro-economics for the next 10 to 15-years both from carriers and growth, not only organic growth, but also some of the risks that obviously we have experienced in the past just to make sure you understand where those winds are blowing?

Mr. Christine said absolutely, and we are constantly evaluating the capital program, our demand; we are working with all of our airlines but especially American Airlines right now to revisit our Master Plan and trying to make sure that we are delivering the things that they need when they need it. The good thing about our Master Plan is everything is incremental. We can stop at any given point, depending on which way the winds are blowing. So, we can accelerate things; we can decelerate. We really want and try and match our facilities to the demand. We’ve always been very good at that. We have never really gotten ourselves into a position where we’ve overbuilt the Airport, and some might say we’ve underbuilt the Airport, and that probably isn’t too far away from the truth. When you see how we turn every gate eight and nine times a day, when you look at the volume of people that are not just moving through the Lobby, but also moving through our concourses, it is very, very busy all the time. We have a lot of work to do just to provide really adequate facilities for the demand that we have today, but we are
constantly looking at what we think the future is going to bring us as far as future demand and trying to match to that to the best of our ability, whether we do that through capital development, whether we do that through operational changes, we are always trying to evaluate that and provide that high level of customer service.

ITEM NO. 4: LYNX SILVER LINE DESIGN UPDATE

Taiwo Jaiyeoba, Assistant City Manager said I’m going to kind of do a preamble for the next two items because you are going to be taking action on these two items in the near future. John is here to give you a detailed presentation both of them. The first one of course is the Silver Line Design and environmental services, which really advances the primary work that was done in terms of moving that corridor along from Matthews all the way to the Airport. We’ve done previous studies on this that actually identified this particular alignment and this corridor, but this next phase is what we call pre-development phase where we have the consultant that will come in and do more work than just conceptual, and he will take us I believe to about 25% to 30% of design work. That is what this is about. This actually advances the implementation of our 2030 System Plan to a large extent. Of course, I have Jason [inaudible] as well, who can help to answer questions when we get to that point.

The second presentation is the Regional Transit Study and my colleague from Centralina Council of Government [inaudible] is here tonight as well, and that is what I will call a 2030.1 or plus, which is really looking at what happens overall in the overall region with regards to mobility. That is very important from our point of view that we are not just focusing on the Silver Line right now in terms of implementing what we see in our 2030 System Plan but what happens after that. So that is what our service contract is about; it is not just about rail. It is also about bus services and other means of moving people throughout the region, and when I say region I don’t mean just Mecklenburg County, but about 12 or 16 different counties and also North and South Carolina as well.

John will go through those two things; those two things are very related especially, because that second study is probably the most consequential transit study we will be doing in the region for the foreseeable future, and it is very important to pay attention to how that is going as a great partnership between the City, CATS and CCOG on this one. It is very important to pay attention to that in relationship to what we are doing in our Comprehensive Master Plan as well, because when we talk about over 300,000 people moving into this region in the future, over 200,000 jobs, the likelihood is that most of those jobs will be in Charlotte and people will have to come here from outside of Charlotte to work, but as we talk about affordable housing as well we are going to see more people living in the immediate regions outside of Charlotte so being able to work together as a region, not just advancing our light rail but also advancing our means of mobility is very critical. I will let John come and talk to you in more detail and I will join in when it comes to Q and A.

John Muth, CATS said as Taiwo mentioned I am here tonight to give you some details on the proposed Silver Line design and environmental contract, as well a transit-oriented development planning services contract, and both of those items will be on your October 28th agenda for consideration.

The LYNX Silver Line, as I’m sure you know, is one of the most ambitious projects that will ever be pursued by the City. It is nearly three times longer than the Blue Line Extension, so the Silver Line is about 26 miles long. The Blue Line Extension, the most recent project is a little nine miles, so it is three-times longer than the Blue Line Extension, could have up to 28 proposed stations, many of them with parking facilities as well as a vehicle maintenance facility. The MTC has taken a couple actions over the last couple years to update the corridor plan. This map highlights the Silver Line; it is actually a combination of what we call the Southeast Corridor or the Independence Corridor, as well as the West Corridor or Airport Corridor. Instead of tackling these as two separate projects they have been combined into this one project. As you can see it
starts down in the Southeast down by Stallings, Indian Trail, and Matthews, comes up the Monroe/Independence Corridor into downtown and then out to the west serving the Airport and then over to Belmont in Gaston County, so it encompasses three counties.

We believe it is critical to begin advancing the design of the Silver Line at this point due to three key factors. One, coordination with the North Carolina Department of Transportation; they have at least 13 projects that we are aware of that will be undertaking planning and design in the next year or two that could be directly in areas that could conflict with the Silver Line, so we think it is important to collaborate with them, so both our project and all their projects can somehow be planned, and design can be coordinated. A simple example would be we wouldn’t want a major roadway project to relocate utilities and then come in behind them and find out that the Silver Line needs to relocate utilities so, to the extent that we can collaborate on issues like we want to do that.

Developer Coordination, we get a lot of developers already coming and asking questions about where is the Silver Line going to be, how might it impact my property, developers who either want to develop by right or are considering a rezoning on their property want to know how the project could impact them and also real estate acquisition. If there are some instances where, if we determine that the project is definitely going to impact a property there are ways in the federal process that we could perhaps do early acquisition. Those might be limited until we advance the design, but we do know that anytime anybody comes in with a parcel and ask about it, not only are we going to look at it, but we are going to consult with all the other City departments that might have kind of a strategic role in how that land might get used. Maybe it is not really impacted by the Silver Line but maybe from an affordable housing standpoint, it is a strategic opportunity. We want to be able to answer as many of those kind of questions as we can, and we feel like advancing the design will really help us.

This slide shows the federal capital investment grant process; going from left to right, the pre-project development stage, which is typically if you hear us refer to 30% design. So, we would take the project up to 30% design level of detail in the green box, then the project development is typically going from 30% design to 65% design, and at that point as you move from the blue box to the darker blue box is when the federal government would kind of lock in their share of the project. So, you want to have a really good detailed set of plans and cost estimates and everything so when they lock in what they are willing to contribute to the project, then you move forward, complete the plans, bid document etc. and then you complete your full funding grant agreement with FTA.

The contract that you will consider on the 28th, the contract will take up through all the design encompassed by the green box and the blue box. The initial funding amount is going to be $50 million, which is in our CATS budget and that will help us carry through a good bit of the green box or the pre-project development. A key thing about pre-project development, the blue box, once you request entry to that you only have two years to get to 65% design, lock in their share, so you have to have knowledge about how you are going to advance the project from 65% into final design and negotiate a full funding grant agreement. You really need to have the full funding picture of your project before you advance into this blue box. We hope to get a lot of the early design work done with the current contract amount.

The contract will allow us to refine the locally preferred alternative (LPA) including the alignment and station locations. We will have 15%, 30%, and 65% design milestones at which we will have updated capital costs estimates and estimated schedules. We will have done the appropriate risk assessments along the way again, to make sure that if there are any factors that are going to play a role in either the cost or the schedule that we have fully accounted for those in that work. We will go through the draft and final environmental impact statement process and will have a lot of third-party coordination
obviously, with NC-DOT and the railroads and an extensive amount of public involvement.

The Transit Oriented Development (TOD) Planning contract, which will also be on your agenda on the 28th is a partnership with Charlotte Planning, Design and Development Department in the Cities of Gastonia, Belmont and the Towns of Matthews, Stallings and Indian Trail. We received a $920,000 federal planning grant for TOD planning, so you can see several areas that it will get into; Community Education and Engagement, what is TOD. So, there will be a lot of educational pieces to, Station Area Planning, help us determine and this will be concurrent with the Silver Line design. So, this will be the piece that helps us figure out where the stations go. There will also be a market study that will look at things like affordable housing; it will help identify any naturally occurring affordable housing along the alignment and also any sites that might be good candidates in station areas for affordable housing as well. Of course, implementation strategies moving forward.

Again, on October 28th for your consideration the LYNX Silver Line Design and Environmental Contract, that is with WSP. The initial contract will be up to $50 million which we have in our CATS five-year budget. Then the Silver Line Planning Services, that contract would go to Kittleson & Associates, and that contract amount is a little over $1 million at $1.15 million.

Councilmember Driggs said it will take $50 million to get through the first couple of stages there, but I’m assuming that a 26-mile project is roughly a $3 billion proposition based on the Blue Line Extension. Is that reasonable?

Mr. Muth said we are at very low-level conceptual design on the Silver Line currently. Our next best cost estimate is going to come at 15% and then it will continue.

Mr. Driggs said we can’t commit to $50 million on speculation about how we are going to kind of convert that investment into some sort of- What assumptions are you making about the amount of federal funding that we will get as a result of the federal process?

Mr. Muth said for this early design, this $50 million; we are assuming zero federal.

Mr. Driggs said I know. I’m saying there has got to be a number like $3 billion which is how much this whole thing costs.

Mr. Muth said we would achieve 50% on both of our projects, recent conversations currently; other locations have been 40% federal.

Mr. Driggs said I know and there have been questions about how whether the old funding model was still going to be available. There are questions about what Raleigh is prepared to do. I’ve been asking this question for a couple of years, and now we are at the point where we are actually going to spend $50 million, and we still haven’t addressed the issue of what the big picture solution for funding this looks like. I think the public has a right to know and we do.

Mr. Muth said we see this as a key step to help us develop the capital cost estimate that can than inform the whole financial plan including what type of assumptions get made about federal and state.

Mr. Driggs said there has to be some concept as to how this works. Are we looking for more sales tax; how much are we going to start dipping into general fund dollars? I just don’t have the slightest idea how this is supposed to work. It seems to me that some of the solutions would depend on accommodation by Raleigh when it comes to maybe some sales tax, which is why the County’s proposal is interesting to me right now, but it just feels odd to me. I don’t know what everybody else things, to actually now start spending $50 million and not have any idea what the total capital requirement is going to be and what our thoughts are about how we will meet that. Mr. Jaiyeoba said Mr.
Driggs, maybe I can add to what John is saying. It does sound logical that what you spent on the Blue Line Extension, which you multiply by the number of miles, it doesn’t always work like that, because situations on each corridor are very different. So, we may not really know what that number is unless we go through this preliminary study. Once we have this pre-development and we get to about 25% to 30% design, it will give us some numbers in terms of capital numbers of what that will costs, but it still will not be the number. We still have to get all the way to about 65% at some point before you can say this is a reliable number that you can actually know what that percentage will be whether you are getting 50%, 60% or 40% from the federal government or what our share will be. Once we have a 30% number, it is fair to say that is something that you can begin to consider taking to the public at that point in time. It is very hard for us in our position to say something is going to cost $3 billion because we really don’t know. There could be fatal flaws along this corridor; there could be crossings, there could be grade separations, just so many other things that this study will help us to begin to identify what the eventual costs might be.

Mr. Driggs said I get that, and I’m not worried about whether it is $3 billion or $2.5 million; what I’m saying is, it is a ten-digit number and there is no plan. I don’t know whether I just don’t have enough experience in this field, but it feels to me like we ought to be worrying more, especially before we start spending $50 million, about how we are going to see this through and not just back ourselves into a corner and then put everybody in a position where we have to say yes, because we’ve already spent $50 million.

Marcus Jones, City Manager said I think John, if you go back to your boxes about the process, one thing that we’ve learned is this is not unique to Charlotte, in order words in order to pull down federal funds we much go through this process. We can talk all night; we don’t have a number. We can’t say that it is X, and I believe that if we said that it is X tonight we will be wrong. So, any city or jurisdiction across the country that is trying to pull down these federal dollars it goes through this process. So, what John and Taiwo are saying, if I got this totally right, is this pre-development process we are moving from something that is conceptual. So, for the first time we are going to have better numbers around maybe 30% that we would get to this point in terms of design and then at that point it is a much better discussion about what the cost of this will be.

Mayor Lyles said so the source of the $50 million is from federal funding?

Mr. Muth said it is from CATS, our budget and sales tax.

Mayor Lyles said and it has been approved by the MTC?

Mr. Muth said yes.

Mayor Lyles said it is has been matched by several other communities. I think you are right Mr. Driggs, we do not know the answer, but I think the real question is are we going to build another line or not and we can always stop but if we don’t get started-

Mr. Driggs said why aren’t we talking now about what sort of options will be available to us, so we know what we might be getting into?

Mayor Lyles said I would be glad to do that. I think we need to do that when we get a place where the Council is prepared. I would assume that we would be talking about this as soon as there is some information or more grounded in fact versus the concept. I agree with you that we ought to be doing that.

Councilmember Mayfield said the question that I have is the fact that public involvement is the last bullet on this slide; if we go back and look at the Blue Line and we look at the impact that we had on small businesses; we closed a number of small businesses because of the construction, because of the amount of land that was needed for the alignment for the tracks for the current Blue Line. The concern that I
have is strictly focused on Morehead Street and Wilkinson Boulevard. We’ve just done a major realignment that City taxes paid for along Morehead Street where we did a mitigation and traffic calming where we reduced lanes. Now we are having a conversation about the rail going up. Manager Jones and I for our monthly meeting rode through and he already knows some of the concerns that I have; Wilkinson Boulevard is three lanes, but unfortunately during the development most of the building businesses are literally right up on the street. If there is a sidewalk it is a six-foot sidewalk and there is not a lot of give, including our Fire Station that is on Wilkinson Boulevard. It will be helpful for me if we learn from the mistakes, because we are not doing it brand-new again. I feel like Southwest Charlotte and West Charlotte was the guinea pig with how it could be done, and we are trying to get better with the extension out to UNC-C, but the concern that I have where public involvement comes in and who is identified as public. Is it residential public; it is small business owners/business owners, because there are so many businesses all along Wilkinson Boulevard? Logic would say that if the rail is going up it is going to be in the far-right lane for both outgoing and incoming and so many businesses are going to be impacted including brand-new businesses that we have approved development on in the last six years. It will be helpful to know that while staff and the powers that be in engineering are having these great conversations up here that there is more than someone that is at the table that is asking everyday common-sense questions, and I’m directing this to the Manager to make sure that our impact is as minimal as possible, and/or we are prepared looking at today’s cost of living what those buy out prices are going to be for these relocations that are pretty much guaranteed to happen.

**Councilmember Ajmera** said I want to further understand; you said the funding source is the CATS budget. so, it is from the projection from the existing sales tax?

Mr. Muth said that is right; the $50 million that we’ve programmed over the next five-years and that we would be asking you to approve a contract up to $50 million on the 28th is programmed in our budget.

Ms. Ajmera said so without any sales tax increase, the projections are, right?

Mr. Muth said it is based on the current half-cent sales tax.

Ms. Ajmera said if you go back to the process flow chart; how long has this model been in place? Has it always been like this when the Blue Line was built?

Mr. Muth said it is pretty much the same process. I would say that on the Blue Line and then on the Blue Line Extension you could get some federal monies kind of in the green box to help you with design, but currently that green box is funded totally locally and then the blue box is typically funded locally, but what you could spend could be eligible for reimbursement from the federal government. Then when you get to the darker blue box and engineering and you are doing some design, if you are doing some real estate acquisitions and things like that you get pre-award authority but once you get that full funding grant agreement in place you can start to recover some of those costs as you are going.

Ms. Ajmera said the funding in the green box, can it be recovered, or is it just fully funded by local under this process? For the Blue Line, was it funded by the federal; did we get any grant for that?

Mr. Muth said that would be fully funded by local; both Blue Line projects had federal, state and local funds in them.

Ms. Ajmera said the pre-project development is what I’m talking about.

Mr. Muth said when we were doing the Blue Line Extension you didn’t really have this project development phase; it only allowed two years to go through, so I would almost
Ms. Ajmera said that means the process has changed from when the Blue Line or the Blue Line Extension was built to now where there is less federal support in term of the pre-product development; that is where local municipalities have to come with resources to fund that part of the project.

Mr. Muth said I would say that is true.

**Councilmember Harlow** said Mr. Manager, I appreciate you understanding we don’t have a number today, and this is a big buy-in, big small blind if you play poker, right? You’ve got to see the cards I guess. At what point does the Council get an idea of what that number is, after the green box or after the lighter blue box?

Mr. Muth said I think you would get it a couple times during the green box at 15% and 30% design. We would be updating cost estimates as we are doing some risk assessments, and so half way through and you get the 15% number and then you continue to do more detail design.

Mr. Harlow said it is more about a scope shrink, so you get a better idea.

Mr. Muth said yes, as you answer some of the questions and refine the scope of the project.

Mr. Harlow said from a timeline standpoint, I know you said this project development blue box, you’ve got to do it within two-years, and that is a federal mandate it sounds like but how long does the first part take?

Mr. Muth said the green box, the $50 million in funding over the next five-years would not get us all the way through the green box; there would still be some work to do. So, as you are currently looking at the green box, I would say it is a five-year plus schedule, unless we get an ability to move some of the funds up quicker and accelerate design. The green is five, six, seven years probably.

Mr. Harlow said I guess from a long-term, just transit planning standpoint, Mr. Driggs made a quick reference to how does the county proposal on the sales tax side proposed increase-How could that affect our long-term transit goals?

Mayor Lyles said that may not be a question for John, but maybe Mr. Jones may have a better idea how we look at the financing portions of this.

Mr. Jones said I just want to make sure we are all together on this pre-project development phase. I believe the question was the pre-project development phase, How long does that take, just that section, not project development but pre-project development. How quickly could you get to this 30%?

Mr. Muth said currently as the funding is laid out, it is going to take us five-years, because the cost of the do the green box is more than $50 million. The total cost is probably $75 million, so what we are talking about here is to get us two-thirds of the way through the green box over the next five-years with the funds that the MTC has currently budgeted.

Mr. Harlow said that didn’t answer my question as it relates to the sales tax increase that the County is proposing and how that affects our long-term transit goals seeing as we rely on sales tax for transit.

Mr. Muth said so, you are talking about the transit sales tax now?
Mayor Lyles said there will be disagreement on whether or not people will believe that it has any impact; it will take us to the highest sales tax in the state, and so I think that will be a very difficult thing sometimes to do the analysis of, but they have locked that in and that will be up to the voters in November, but I don’t think that we can say that it would impact the collection of our one percent and two percent that we have.

Mr. Harlow said I guess the question is I guess we make a lot the assumptions that these things are just going to get approved all the time, sales taxes, federal funding a variety of assumptions. The concern is we are going to march down this path, we don’t have to, but you kind of have to put the $50 million in to get the rest of the way through the flow-chart and then at some point after we get a real number, whatever that looks like, five years from now, seven years from now, some billions of dollars it sounds like it is going to be. The current model and the current funding source is not going to be enough, so we have to be capital planning that in our minds, and we know that already. But, is that the only source we have an ideal a to rely on, so we know for sure and for a fact somewhere in the next few years, I imagine, there is going to be another proposal to increase the sales tax for transit expansion.

Mayor Lyles said Mr. Jones is going to address that but financing anything is a Council decision. Are there options for doing that and I think the question Mr. Driggs is asking is what are the possibilities, and what are the options? How do they generate; what would be the best use and how? The sales tax is only one that you could look at.

Mr. Jones said we are doing just what you’ve asked. We are analyzing the various revenue streams that could be available to us, whether it is sales tax, property tax, fees, but what we have is our financial group who has come in and is doing that analysis and that can give you some options of how to tackle whatever this number is when we get better estimates of what the total cost will be. We are not starting off by saying sales tax is the only option.

Mr. Harlow said that is good; it has always sounded that way until you just said it just now, and I will tell you that.

Mr. Driggs said it is the tool we’ve used so for and if the County thing passes the relevance is simply that is one place we might look that has now been spoken for by the County is about all you can say about that.

Mr. Muth said I don’t know if this helps, but as I tried to describe the green and the blue, I think as staff, we would not come to you and recommend that we enter the blue box project development until the full funding picture of the project was known, because that is a two-year period, and you have to move through that and then you have to be ready to go final engineering and be ready to acquire right-of-way etc. So, that is kind of a key distinction between that green and blue to staff in terms of moving it forward.

Councilmember Eiselt said you just touched on something I have a question about John, acquiring right-of-way. I feel every penny we spend now is sort of an advertisement to developers that we are going to do this, whether we know how it is going to be paid for or not and you know I’m not a fan of alignment, but I know this isn’t my profession. So, my question is if we are going to do this how are we going to preserve that land around the Silver Line, because are going through some of the most fragile neighborhoods, and we know that land will be gone, and those neighborhoods will be disrupted again? With the Blue Line, we didn’t get it right, preserving the land for affordable housing, so when can we begin to under federal guidelines or whatever acquire the land along that alignment? This to me is a forgone conclusion that this is where we are putting the Silver Line; the other options are out from everything that I can tell. So, what do we do about the land around the Silver Line? how can we acquire it sooner than waiting for that?

Mr. Muth said we can start acquiring the right-of-way after we complete the final environmental impact statement and get a record of decision. I’m looking for head nods.
Mr. Muth said there is a corridor preservation option available to us with FTA where they will consider I guess, and I don’t know all the rules and circumstances, but there is an ability to acquire some right-of-way during this green box if it is fully warranted and if we can make the case to FTA, and I think maybe your conversations with John Lewis; he has talked about our CATS budget doesn’t have money in it for right-of-way, but our fund balance and things like that potentially could be.

Ms. Eiselt said what does that mean, the FTA would give us the right to do corridor; why couldn’t we just do it if that is land that we chose to buy? What does that mean, the FTA?

Mr. Muth said I don’t think it would be the full corridor, it is specific properties.

Kelly Goforth, Transit said it is properties that we would identify for advancing acquisition; We would complete a smaller environmental process that would make it eligible for us to use that property in a federal project.

Ms. Eiselt said does that mean there is a different pot of funds that we could use to acquire that land in that corridor if it qualifies?

Ms. Goforth said it would still be local funds, but it would be eligible to put towards the project as part of our match later on.

Mr. Muth said we would get credit for it, but we wouldn’t get any FTA money early on to help with the acquisition; it would have to be all local funds.

Ms. Eiselt said but it would count for what we put into this later on for our match?

Mr. Muth said right.

Ms. Eiselt said I think that is something we’ve got to bear in mind, because right now we have $2.5 million in the budget for land acquisition, so we are not prepared to start doing that at all yet, we are being asked to spend $50 million to go down this line, and it is a forgone conclusion that that is where we are going to put it, pending federal funding.

Mr. Muth said this early process in the green box; there could be some refinements to the alignment and the station locations, but it is not wholesale changes probably.

Councilmember Phipps said do we have any residual funds left from the Blue Line Extension, and if we can do, can any of that money be used or is it corridor specific?

Mr. Muth said we are still in final close out on the project. We haven’t closed out on a couple of the major contracts, so we are still tracking to come in at or under budget. If we come in under budget some of the money represents federal and state funds that we wouldn’t get so there would be some local component to that, but I’m not ready tonight to be able to say how much money that is or if we will realize it.

Mr. Phipps said so it is a possibility that if we do have any residual funds they may be applied to this Silver Line corridor?

Mr. Muth said you now we do borrowing to construct this project, so some of it could be funds that we don’t need to borrow, if that makes sense, rather than cash that we have in the bank somewhere.

Councilmember Bokhari said I think what we are being asked to do here is get aboard an incredibly slow moving train where they are building the track in front of us, and there is no guarantee that that track is going to continue and ultimately we are going to get to a point where we run out of money, and we don’t know where to go because we haven’t has these conversations, and we are going to look back and it is going to be a long way back to where we started, and it is just going to feel like we are forced into moving forward. I agree with you guys, this isn’t about forcing you guys into a position to tell us
years ahead of your process how much this cost, what the price is, but we have to have a conversation, and we have to have one now before we get on this train to make sure we understand how much money is in our bank account for this. I think that is pretty easy to make an assumption while we don’t know the costs it is probably not going to be less than a billion dollars that we are going to have to account for, and it is probably more realistic to be like two or three that we are going to have to account for locally. So, unless we are prepared to have those conversations I think this is incredibly reckless to just move forward, especially right now with the questions raised before about the County putting this quarter-cent sales tax for the arts on the ballot. This is literally that money, that is the end of that so, I don’t know if anyone has done a calculation of how much property tax increase it takes to raise a billion dollars or more, it is a lot. So, I think these are the things that we have to have discussions now about before that proverbial leaves the station, which when we approve it and get in the train for this $50 million spend from the CATS budget, and if the City and County decides to approve the quarter-cent sales tax for the arts, these are two things that now are done deals, and I think we all need to recognize that.

Mayor Lyles said I would agree with you if the voters approve this it is a done deal, but a quarter-cent sales tax isn’t going to address the slide in a way that is ready to go, and I do think this is the beginning. they are here asking us and explaining to use the federal process, listing out the bullet points, and the question is are we going to have a Silver Line or not? Are we going to have half of a Silver Line or not? They’ve been out talking with the community; we’ve all been reading in the paper, train to Ballantyne, train to the to the Airport, and so we’ve been hearing about it, but I think you are right, it is time to begin to talk about it, and I think that is what they are trying to bring in tonight.

Mr. Bokhari said my point is if we are going to be asked, which I believe is the case, in two weeks from now to vote on approving $50 million, we are boarding that train.

Mayor Lyles said you are right, if you approve that you are boarding the train for the pre-project development phase of it, which you approved in the budget that we all adopted in the spring of this year. Not that is neither here nor there or whatever, it is just there, we are going to have to make a decision, and if you are not ready to make it we won’t make it until you are ready.

Mr. Muth said I would like to offer one clarification on those comments; the $50 million is what is programmed over five-years. We have $9 million programmed in the current fiscal year. So, we would start off with a task order for $9 million with the consultant. So, I think each year I think we would be executing task orders, and in the meantime certainly there would be different check-in points with you and the MTC as to how progress was going and what we are finding.

Councilmember Mitchell said I truly believe that we have to do a Silver Line because I think public transit is the way to go. I think my frustration is hearing the conversation around the dais is the options, and the Mayor is right. I heard about it in the paper; we are talking about going to Ballantine. We are talking about going to the Airport, but I never saw those options laid out in front of us that the Transportation Committee then made a recommendation to staff. Councilmember Mayfield made a comment [inaudible] that say public involvement. I think this is the first time there has been Council involvement, so I think for me, I would feel more comfortable if there was another layer that the Transportation Committee looked at all three options and made a recommendation. How did we skip that process and get to this point that this is the line? How did we miss that?

Mr. Jaiyeoba said Mr. Mitchell that really went to the MTC numerous times.

Mr. Mitchell said it went to the MTC, but it didn’t come to our Transportation Committee. Mr. Jaiyeoba said I believe that Council also had a presentation and information at some point but not necessarily TAP. It is almost like if I were to my Planning Director’s hat I would say that it almost like when you have to deal with a rezoning case, it has to go through the Zoning Committee, not necessarily TAP. Even though TAP may have
information about it. It is the Zoning Committee that eventually recommend approval. That is the same thing here, because you are talking about different regions, different jurisdictions, different entities, and so the Metropolitan Transit Commission went through multiple alternatives prior to coming to the final two which were eventually boil up to this one that will go through.

Mr. Mitchell said well Taiwo, why didn’t we see those options or recommendations you sent to the MTC? Why didn’t our Transportation Committee see?

Mr. Jaiyeoba said maybe Jason can speak to this, but I believe that presentation of multiple corridors was made previously.

Jason Prescott, Planning said we’ve been updating the System Plan for almost five-years now with the update starting with the Southeast Corridor, we got some ideas for uptown and then got into this update about the West Corridor and the North Corridor and through that process we had proactive public engagement plan and engaged the Councilmembers in districts as we went through, but also we gave monthly updates to the Metropolitan Transit Commission, which is made up of all the Mayors of Mecklenburg County and they approve and adopt our updates to our long-range system plan.

Mr. Mitchell said staff, that is great but you missed the one key item to me, and that is the City Council and the Transportation Committee never saw the options. I would prefer you came in Option 1 cost $8 billion, Option 2 cost $6 billion, and show us the line. We never had that conversation, and I [inaudible] everybody. We make the commitment on October 28th, and I would like to get on that train, but I’ve got to have some comfort level that this Council is saying this is the line we are going to be ownership of because the truth of the matter is the citizens are going to look at us and have the conversation and saying why did you all approve that line. Why didn’t you look at other options? I’ll be the first one to say, oh, I didn’t know about the other options.

Mr. Muth said I can commit going forward we will be happy to talk with any Council, because this project is going to involve multiple, the Town of Matthews, Stallings, Belmont, so I am sure we will be out talking to a variety of elected officials, and we are certainly willing to come anytime we are asked to give you updates and tell you where the project is.

Mr. Mitchell said I understand MTC; I’m not saying change that but it seems there was a big part, and maybe it is just me, because I’m used to local to be able to touch this. It seems we haven’t touched this. This is not ours, it is like it is MTC, but we are going to make a decision on October 28th for a lot of money and the citizens are going to come to us and say well, did you consider other options or what were the other options? How much did it cost? I just think you’ve got to help us get comfortable that is the right option, this is the option we think is the best cost of our taxpayer dollars and federal funds. It could be just me, but I think the conversation around the room was very good. I’m not on the Transportation Committee, but I would love for them to say we made a recommendation. This is the line, and we want Council to vote on October 28th. That didn’t happen.

Mayor Lyles said this was scheduled to go to 6:07 p.m. for our discussion, and now it is 6:22 p.m. I think Mr. Jones we may have to come back on the Regional Transit Plan Update, and I think it might be good to have a lunchtime discussion on this, because it may be some information is needed to get them to where they were supposed to be and maybe it didn’t happen. [inaudible] and sometimes it just doesn’t happy, but that is okay so my suggestion is that we go ahead and get the comments as we continue around the table and then wrap up on this, and I think we need to schedule something at a special meeting with just transit and maybe even invite some of the MTC members there, so we can how this affects Matthews, Belmont, and Gastonia, because they are all involved in it as well.
Councilmember Egleston said I will start by defending staff a little bit; I’ve been particular interested in this, because it goes right through my District and because it is something that I’m really excited about so maybe I’ve had my antennas up more to look out for this stuff but my feelings are that there have been numerous opportunities to engage in this discussion in understanding where this line is going to be. The discussion of this being the next line far predate most of us even on Council. So, I think it is inaccurate to say that this something that is being thrown in front of us tonight. I’ve seen it a lot, and so I think there is $50 million risk in approving in two-weeks something that says we’ve got to go forward with a study, but staff can’t present us options costed out if we don’t cost them out. Part of this is costing this out; we don’t know what it costs, and if we are committed to actually having a robust, mass-transit system there is going to have to be some money that we put out to do the due diligence that is going to be at risk that eventually it might not come to fruition, but if we don’t put it out then we might as well say that we are not committed to having a robust transportation system. So, I’m all for us getting more information but at some point, we are going to stick our necks out a little bit on studying this corridor if we actually want to see it come to be. We are not going to be able to pursue this with no risk.

Councilmember Winston said I agree that we have to commit to building out our public transportation network, and I think we have committed as a body to seeing this CATS 2030 Plan out even under a revised approach, and I’m more concerned about the system that we build and not just date on the piece of paper, but we’ve been building rail lines in this country for hundreds of years. We can get this done. The problems in terms of funding we have to be honest or more political than anything, and we can’t account for the way politics on the national, federal and state level will necessarily play out between now and some point in the future.

I will agree with my colleagues that what I hear us saying is a reoccurring theme; we are not well informed enough. We are not having the comprehensive and consistent conversations amongst each other to be able to ask and have the type of decisions making processes that these decisions deserve. As this slide deck was going on, I had to go over and ask Ms. Eiselt who is the Chair of Transportation and Planning and did this come to Committee? I couldn’t remember, and I feel like I’m seeing this for the first time, and maybe it was something that I missed, but I didn’t miss it. To Mr. Egleston’s point, I understand that there is plenty of public engagement, but there has been no time for us to be engaged and have these conversations and ask these questions so we can have real meaningful conversation to push these things forward. This is the same thing that happened around Brooklyn Village; this is the same thing that happened around so many other topics over the past couple of years, the way we have done things needs to change. I feel like Committee is the place to do this.

Mayor Lyles said in this case I just want to say there is a governance structure around the MTC, and it is around the trains and how it works and one of the things that I think if we have this kind of meeting we ought to invite the people from Matthews who have a stake in it, their Councilmembers as well. This is about a regional approach to something to get us a mass transit system that serves the region, not just our City while we are the largest geography in it, it is a lot. I really appreciate the ideal; I think the best thing for us to do is for us to sit down and start this conversation, get the questions out and let’s just keep going. There is nothing that says that you must do this by 14th or the 18th or whatever date, but I think it is more important for everyone to understand what is going on, so I would agree with you.

Mr. Winston said I want to finish my thought. I disagree. I understand that we are part of a regional approach and the governance and the way those votes happen, but we do a significant responsibility in all of these regional organizations that we are a part of. This is something that I’ve said about CARPO that we need to have constant back and forth to understand what is happening, because we have an inordinate amount of responsibility in the way these decisions are made, and our taxpayers fund a bigger piece of that pie than all the other parts of the region. It is about being informed, and it is about giving that back and forth with our staff, that constant guidance, so you avoid situations like this that happen over and over again.
Mr. Jaiyeoba said I know that since I have been here; Mr. Lewis is not here tonight as presented this. So, I had to back to check but I was correct on August 27th Council Action item, he actually presented how we went from 50 corridors, different alternatives to two or three and then eventually landed on where we are today and Council took action that evening. So, I remember that because that was about the time we were talking about the Comprehensive Plan and how this piece was very important to making that decision. We did not go to TAP, but that is a decision that I think maybe was not made, but I do remember that it was on Council Agenda and Mr. Lewis presented that on August 27th of last year. I just wanted to bring that up.

Mr. Winston said last year?

Mr. Jaiyeoba said yes.

Ms. Mayfield said I waited, because there is something that could help with getting Council caught up Mr. Manager, and that is coordinating basically, which we’ve done throughout the years, sporadically do a Council bus tour to go through the potential route, because there are some challenges in the route itself. When you look at what businesses are going to be skipped, even when you look at what is proposed right now and as one of the District Representatives that this area is coming through, I have been a part of some of the conversations. I was not a part nor were my colleagues a part of the conversation of where the stops will be. We don’t even have a stop at Goodwill, which is our largest employer resource that the City has put funding into through our Project P.I.E.C.E. and Project P.I.E.C.E. 2.0 and multiple other levels. So, when we think about again my original statements the impact that happened on businesses and those businesses having to close their doors, one, because of construction, two, because of where stops are located. Yes, you can’t have a stop at every other corner, but we can be very strategic in those stops, especially when we have already made financial investments into areas. It could be helpful to actually have a bus tour looking at this current route to see where these stops will be so that the Representatives will have an opportunity to chime in and to speak to our constituents regarding the feedback that has been how the staff accumulate all this feedback and then interpret it into this.

Mr. Jones said that is a good suggestion.

Mr. Muth said I would say that the station locations are not finalized, so that would be very good input.

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ITEM NO. 5: REGIONAL TRANSIT PLAN UPDATE

This agenda item was not presented.

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ITEM NO. 6: ANSWERS TO MAYOR AND COUNCIL CONSENT ITEM QUESTIONS

There were no outstanding Consent Agenda Item Questions.

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ITEM NO. 7: CLOSED SESSION

There was no closed session.

The meeting was recessed at 6:32 to move to the Meeting Chamber for their regularly scheduled Business Meeting.

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BUSINESS MEETING

The City Council of the City of Charlotte, North Carolina reconvened for a Business Meeting on Monday, October 14, 2019 at 6:38 p.m. in the Meeting Chamber of the Charlotte Mecklenburg Government Center with Mayor Vi Lyles presiding. Councilmembers present were Dimple Ajmera, Tariq Bokhari, Ed Driggs, Larken Egleston, Julie Eiselt, Justin Harlow, LaWana Mayfield, James Mitchell, Matt Newton, Greg Phipps and Braxton Winston, II.

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INVOCATION AND PLEDGE

Mayor Lyles said we have Cub Scout Pack 33 from Sardis Presbyterian Church and their Leader Michael Todd here tonight and after the Invocation the Scouts will come down and lead us in the Pledge of Allegiance.

Councilmember Eiselt gave the Invocation, followed by the Pledge of Allegiance to the Flag led by Cub Scout Pack 33.

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AWARDS AND RECOGNITIONS

ITEM NO. 10: CHARLOTTE FIRE PREVENTION MONTH PROCLAMATION

Mayor Lyles said the Proclamation is going to be read by our resident Fire Fighter, Larken Egleston and I believe our own Chief of our Fire Department, will be accepting the Proclamation on behalf of all of our Fire Fighters that serve our community so well. We are reminded of this every time we see something on the air and yesterday was one of those days.

Councilmember Egleston said Chief, my question is how long do I get to keep the title of Resident Fire Fighter due to my inactivity at my department the last two years?

Mr. Egleston read the following Proclamation:

WHEREAS, the city of Charlotte, North Carolina is committed to ensuring the safety and security of all those living in and visiting Charlotte; and

WHEREAS, the majority of US fire deaths (four out of five) occur at home each year; and

WHEREAS, Charlotte residents should test their smoke alarms monthly; and

WHEREAS, when the smoke alarm sounds, Charlotte residents may have less than two minutes to escape to safety; and

WHEREAS, Charlotte residents who have planned and practiced a home fire escape plan with everyone in the household, including visitors, are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, Charlotte residents should make sure everyone in the home knows how to call 9-1-1; and

WHEREAS, the 2019 NFPA Fire Prevention theme, “Not Every Hero Wears a Cape. Plan and Practice Your Escape!™” effectively serves to remind us that we need to take personal steps to increase our safety from fire:

NOW, THEREFORE, I, Vi Alexander Lyles, Mayor of Charlotte, do hereby proclaim October 1-31, 2019, as

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“CHARLOTTE FIRE PREVENTION MONTH”

throughout this city and urge all the people of Charlotte to be aware of their surroundings, look for available ways out in the event of a fire or other emergency, respond when the smoke alarm sounds by exiting the building immediately, and to support the many public safety activities and efforts of the Charlotte Fire Department during Fire Prevention Month 2019.

Chief Reggie Johnson and Battalion Chief Nat Westover accepted the Proclamation.

ITEM NO. 11: DOMESTIC VIOLENCE AWARENESS MONTH

_Councilmember Eiselt_ read the following Proclamation:

WHEREAS, domestic violence is a serious crime that affects people of every age, race, socio-economic status, religion, nationality, sex, sexual orientation, and gender identity; and

WHEREAS, domestic violence is widespread and affects over ten million Americans each year; and

WHEREAS, one in four women and one in nine men have experienced severe physical violence, sexual violence, and/or stalking committed by an intimate partner; and

WHEREAS, more than half of transgender people have experienced some form of intimate partner violence; and

WHEREAS, children who are exposed to domestic violence are at greater risk for developing physical and mental health problems, entering abusive relationships as adults, or replicating abusive behaviors as adults; and

WHEREAS, domestic violence costs the nation billions of dollars annually in medical expenses, police, court costs, shelters, foster care, sick leave, absenteeism, and non-productivity; and

WHEREAS, only a coordinated effort can hope to slow this epidemic in our community and bring relief to its victims; and

WHEREAS, a domestic violence awareness month would provide an excellent opportunity for citizens to learn about preventing domestic violence, to show support for the numerous organizations and individuals who provide critical advocacy, services, and assistance to victims and to help raise awareness of these services in an effort to extend a life line to survivors.

NOW, THEREFORE, WE, Vi Alexander Lyles, Mayor of the City of Charlotte, and George Dunlap, Chair of the Mecklenburg Board of County Commissioners, do hereby proclaim October 2019 as

“DOMESTIC VIOLENCE AWARENESS MONTH”

in Charlotte and Mecklenburg County and commend its observance to all citizens.

_Mayor Lyles_ said I believe we have former Neil Bloomfield, who is the Chair of the Domestic Violence Advisory Board, and he is joined by several members of his Board, if you would come down and receive the proclamation please.

I believe we have Assistant City Manager and City Manager, Ron Kimble, who is a founder, along with his wife Jan, of the Jamie Kimble Foundation, for ending domestic violence. Thank you for joining us Mr. Kimble.
ITEM NO. 12: DWAYNE L. COLLINS DAY PROCLAMATION

Mayor Lyles said in our City, we are very, very honored and grateful because throughout our history we’ve not always gotten things right, and we had to have many people that came forward and made things better. I called these our Civil Rights Warriors, Kelly Alexander, Julius Chambers, [inaudible] and even in the audience today, Mr. James Ferguson; Mr. Ferguson please stand and be recognized. This evening we are going to bring someone else forward as a Civil Rights Warrior; Dwayne Collins, who left us way too soon, he was a friend, a leader, a minister, a dad and most importantly a Fashion Nesta. If you knew Dwayne you know that he gave so much of himself all the way from the time that he was at Johnson C. Smith University when he decided to step up and become a part of a group called The Messengers of Truth. We could use a little bit more truth telling today I think and so when we think about this Dwayne started out because his parents were leaders in their faith and he continued to act in faith. He entered the ministry in 1992; in 1993 he co-founded the Citizens for Justice and over the next 15-years giving back he served as President of the Charlotte Chapter of the NAACP, Chair of the Black Political Caucus of Charlotte Mecklenburg. Dwayne always fought for those that were most venerable, those that had no power and he made a difference in individual's lives. He gave us 20-years in this community of expertise; now I have to say a lot of you should be wearing Dwayne Collins’ clothes because he was probably one of the best dressed men in Charlotte and right before he left this earth he was at the Tuesday Morning Breakfast Club and he stood up proud and wearing everything with that big smile and we were able to recognize him then. So many times, we wait until someone is gone but I have to say this community gave much to Dwayne while he was here. Dwayne was a great dad, a father to his sons Salim and Omari. I know he is missed by them and his extended family, but I have to say all of our community should miss Dwayne Collins because he believed in right and justice and truth.

Mayor Lyles read the following Proclamation:

WHEREAS, Dwayne Lavone Collins was born in Fayetteville, North Carolina in September 1967 and was an alumnus of Garinger High School and Johnson C. Smith University; and

WHEREAS, Dwayne’s activism began during his college years as part of the Messengers of Truth group on JCSU’s campus; and

WHEREAS, Dwayne entered the ministry in July 1992, co-founded Citizens for Justice in 1993, and over the next 15 years, served as the President of the Charlotte Chapter of the NAACP and Chair of the Black Political Caucus of Charlotte-Mecklenburg; and

WHEREAS, Dwayne fought for the powerless and vulnerable and made a significant difference in our community; and

WHEREAS, Dwayne possessed over 20 years of expertise in the area of men's dress and was the proprietor of the Sartorial Servant, a wardrobe consultation service for men; he was one of the most stylish men in Charlotte; and

WHEREAS, in 2000, Dwayne was recognized as one of Charlotte’s most influential black men by Community Pride Magazine; his efforts to make the Charlotte community more equitable and inclusive continued up until his untimely passing on August 25, 2019:

WHEREAS, perhaps most importantly, Dwayne was a loving father to his sons Salim and Omari, and will be missed by them and his extended family, as well as by the Charlotte community:

NOW, THEREFORE, I, Vi Alexander Lyles, Mayor of Charlotte, do hereby proclaim
October 14, 2019 as “DWAYNE L. COLLINS DAY”

in Charlotte and commend its observance to all citizens, not just black and brown but white, because when someone does good we all benefit from it. When someone speaks truth we all learn from it.

I see his minister in the audience and others of his friends. If you are a Dwayne Collins friend, family, connector in some ways, please stand up.

Mayor Lyles presented the Proclamation to his sons.

Mayor Lyles said they just handed me a thank you note, and it is not often that the Council gets thank you notes. That just means that you are raising them right, and even though they are grown men, I want you to know that. There is a note card here saying thank you for the recognition of their dad.

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ITEM NO. 13: DYSLEXIA AWARENESS MONTH

Councilmember Driggs read the following Proclamation:

WHEREAS, dyslexia is a language-based disability that affects approximately one in five people regardless of race, gender, age or socioeconomic status; and

WHEREAS, neurological in origin, dyslexia affects the way the brain processes information and is characterized by difficulties with reading, writing and spelling, despite normal intelligence; and

WHEREAS, those with dyslexia benefit greatly from specialize assistance from highly trained teachers, multi-sensory learning programs, and individualized instruction; and

WHEREAS, dyslexia is defined by the state of North Carolina law, House Bill 149/SL 2017-127; and

WHEREAS, early identification, alternative instruction and extra support from friends, family and teachers can contribute to the success dyslexic students enjoy in classrooms, in life and later on, in employment:

NOW, THEREFORE, I, Vi Alexander Lyles, Mayor of Charlotte, do hereby proclaim

October 2019 as “DYSLEXIA AWARENESS MONTH”

in Charlotte and commend its observance to all citizens.

Erin Martin, Leo Martin, Monica Museler, Max Museler, Michael Museler, Holly Hall.

received the Proclamation.

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ITEM NO. 14: INDIGENOUS PEOPLES’ DAY

Mayor Lyles said we have something a little bit different about this; we have Reggie Brewer, who signed up to speak during our Public Forum, and Reggie would like to follow Mr. Winston after reading of the Proclamation for Indigenous Peoples’ Day, and he will accept the Proclamation.
Councilmember Winston read the following Proclamation:

WHEREAS, throughout the centuries, American Indians have shared their knowledge of land and resources while continuing to play a role in the development of the city of Charlotte, the state of North Carolina, and the nation; and

WHEREAS, North Carolina is home to more than 122,000 American Indians and has eight historic tribes legally recognized by the state of North Carolina: Coharie, Eastern Band of Cherokee, Haliwa-Saponi, Lumbee, Meherrin, Occaneechi Band of Saponi, Sappony, and Waccamaw-Siouan; and

WHEREAS, the city of Charlotte enjoys a positive relationship with American Indian citizens, recognizes and encourages the acknowledgement of historic contributions and sacrifices of Indigenous People, and respects the cultural and economic contributions that American Indians have made; and

WHEREAS, the city of Charlotte promotes the closing of the equity gap for Indigenous Peoples through policies and practices that reflect the experiences of Indigenous Peoples, ensure greater access and opportunity, and honor the nation’s indigenous roots, history and contributions; and

WHEREAS, Indigenous Peoples’ Day was proposed in 1977 by a delegation of Native Nations to the United Nations sponsored International Conference on Discrimination Against Indigenous Populations in the Americas:

NOW, THEREFORE, I, Vi Alexander Lyles, Mayor of Charlotte, do hereby proclaim October 14, 2019 as “INDIGENOUS PEOPLES’ DAY” in Charlotte and commend its observance to all citizens.

Reggie Brewer said Mayor, I would like to thank you for allowing us to be here tonight in this wonderful place that I grew up in. I would like to sing you a song, and the song I’m going to sing is the American Indian Anthem. It came out in about 1973, and I grew up with this song, and I would like to sing it for you.

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PUBLIC FORUM

Charlotte-Mecklenburg Police Department

Timothy Emry, 4747 Hedgemore Drive said I am a citizen, Criminal Defense Attorney and member of Race CLT, an anti-racist advocacy group. I am here this evening to speak of the urgent need for the City to exercise meaningful oversight of CMPD. Walk through our courthouse; sit in our criminal court room, and you see a steady stream of black and brown faces being prosecuted. Our City is not policed equitably. One of the many disparities comes in traffic stops which can also often be the catalyst for larger involvement in the criminal justice system.

Thanks to state law and opendatapolicing.com, anyone can see the ugly reality of CMPD and car stops if they take the time to look. How is it that while 35% of Charlotteans are black, 57% of the motorists that are pulled over by CMPD this year are black people? This problem of massive inequity is getting worse; five-years ago it was 52% and 17-years ago 41%. CMPD is pulling over black people at a greater rate each year. The data is even uglier when we look at the claimed basis of stops. This year black motorists are 621% more likely to be pulled over for a stop sign or a red-light violation than a white motorist, and 1,452% more likely to be pulled over for a seatbelt. Clearly, something is going on here; black people don’t fail to wear seatbelts at 15 times the rate of white people. Once that car is stopped, sometimes it is searched; 89% of the
motorists searched are black and brown people; 286 white motorists have been searched this year, while over 2,100 black motorists have been searched. Despite all of this, the rate at which so called contraband is found is virtually identical. There are two sets of rules in this City that is enforced CMPD depending on what race you are. This is what Dr. Kennedy would call a racist policy. This is a crisis; it does not keep us safe, and I call on you to stop it by demanding a stop to racist police practices.

Mayor Lyles said we will include this data and the information you have provided to us to our Police Department and our City Manager, as well as to some of the work we are doing around data analytics on crime and violence and race.

Student Death in Crosswalk

Danielle Imhoff, 524 Hawthorne Lane said this is my fifth-year teaching at Garinger High School. Israel was going to be a history teacher. Israel was signing member of the German Club at Garinger High School. Israel was a devout Christian. Israel was going to graduate from Garinger High School this year as a 16-year old. I’m speaking in the past tense because on September 19th Israel David Plyler passed away after leaving Garinger High School.

This is the second student who have hit and killed at the intersection of Sugar Creek Road and Eastway Drive in less than 10-years. Israel’s death is both tragic and enlightening but not in a good way. Once students and staff started to really examine that intersection, we realized the absolute inequities that exists for 1,800 plus students that leave high school every, single day. There are confusing speed limit signs all around Garinger. Some say 35; some say 45, and only one, not even closest to the school, says 25. This intersection is confusing for students and drivers alike. I would think as we begin the Vision Zero Campaign that since a student has already died here in 2012 that you would pay extra special attention here to the speed limits, but instead it has taken another dead child for the City to really fix this. This feels wrong. At other high schools, just a couple miles in a different direction you know that you would have heard up-roaring 2012 and things would have been truly fixed.

Fortunately, the City Council members that I have spoken with and the Charlotte DOT have been diligent at making changes that my students, and I have requested. Unfortunately, I am not sure if that would have happened if we didn’t make those calls and those e-mails. This is more than just a Garinger issue; students in low-income communities are always getting the “less than” treatment. Have you begun to examine all speed limits in areas where students aren’t capable of driving their parent’s cars or their own cars, where they are walking and they are taking the bus? I, as a teacher, should be grading papers right now, not making calls and e-mails to City Council. Parents should be helping their students’ study and not helping them work through trauma after seeing one of their classmates killed, and my students should be helping attend pep rallies instead of their speeches at City Council.

Social Equity and Funding

Shania Johnson, 3728 Dresden Drive East said social equity, a constant that involves justice in families in social policies. That is the literal definition, yet many are unsure of what social equity really means. Is it the lack of social equity present? A very intelligent young man by the name of Israel David Plier passed away. I, myself, was heavily impacted by his death. I know there may have been ways to prevent this tragedy from occurring. Israel passed away at the intersection of Eastway Drive and Sugar Creek Road. The speed limit is 35 during school hours; whereas, near schools like Myers Park, the speed limit is lower but why?

Innocent lives have been taken because of the dangerous intersection near Garinger High School. The devastating episodes could have discontinued if there were crossing guards, a reduced speed limit or even a better pedestrian crosswalk placed near the intersection. We are finally getting improvements to the intersection, but it took the Garinger staff and student body to stand up and make calls in order to receive the
attention we absolutely needed. When Israel passed away, I became familiar with the term social equity, and I began to continuously realize that this concept does not apply here. While I know CMS controls what goes on inside of each school, City Council and the City in general also has the power to affect positive and equitable change for all students. Government leaders have an obligation to ensure the safety and security of all students, and it has not always felt this way to students that attend to my school or other schools that are similar. I know I’m only a small part of the solution, but with the help of City Council, we can make a larger difference.

Mayor Lyles said Mr. Jones, would you like to give us an update on what has been done at Garinger?

Marcus Jones, City Manager said I would like to call down Liz Babson to talk about some of the improvements as well as some of the coordination that has occurred.

Liz Babson, Transportation Director said I want to run through a couple of the improvements, and first I want to say we grieve any loss of life on our streets in the City of Charlotte, and we take these very seriously and do a pretty thorough investigation following any type of incident like this.

We are installing an exclusive pedestrian phase at the intersection of Sugar Creek Road and Eastway Drive that is similar, if you are familiar with the operation of one that exists today at Milton Road and The Plaza. What that means to simply describe it is when the pedestrian pushes the push button, they will get an exclusive phase, and no vehicular movements are going at that time. We are also installing a pedestrian hybrid beacon just south of the high school, and that is near Peace Street on Eastway Drive, and that will begin early 2020. In addition, we have requested that NC-DOT evaluate the speed limit around the high school, both on Sugar Creek Road and Eastway Drive, and that is in part because these are both state maintained roads. Of course, we will work with the school; you are familiar with our Vision Zero Program, and there is an educational component to that program. So, we would like to work with the school in ways that they see are appropriate to help educate the students and employees at that location.

Mayor Lyles said we will continue to address that with the school and thank you; I know it was a tough thing to do, but you hung in there and got it done. Thank you very much.

Ms. Babson said I apologize; I should have mentioned this as well. There were recent construction improvements completed in 2014 that were pedestrian improvements to make that crossing safer, and that was in partnership with both the City and NC-DOT. That is where $1.1 million worth of construction improvements that were completed several years ago.

Affordable Housing

James Lee, 3501 East Independence Boulevard said I went to a meeting earlier today in this building, the Intergovernmental Relations Committee: Emergency Shelter Assessment and State of Housing Instability and Homelessness Report. One thing stuck at me today, the hours of work in a week at minimum wage needed to afford a two-bedroom unit at fair market rate, 109 hours, somebody working at minimum wage has to work to afford to live in just a regular home here in Charlotte. You guys know every time I come I talk about affordable housing, and I’m here to talk about affordable housing now, but, I’m going to hit it from a different angle today. I got a new initiative that I’m going to put together, and it is a homeless boot camp for elected officials. I want to have elected officials see what it is like and feel what it is like to be homeless in your City, to be struggling in your City to try to make it, because I think you guys are doing a great job, I always tell you that, but I think there needs to be another level of your understanding. I’m thinking that maybe a couple of you might make it the whole week. I would do it seven-days. A couple of you might make it a week, but I know somebody the first day is going to go AWOL, because it is not easy to struggle in Charlotte to live, and you guys have to know that. You guys got to keep hearing that from people like myself who are advocates for those who can’t be
in spaces like this. Charlotte is a great City. I love growing up in Charlotte. I love being a part of Charlotte fabric. I want to die in Charlotte. I don’t want to have to move to Gastonia, because I can’t afford to live in Charlotte. So, there are a lot of folks that need you and need you to understand that they need your help in living here in Charlotte. Don’t just build Charlotte for the 65 or so people that is moving here every day; make sure that you build it for all of us.

Oversized Trucks in Neighborhoods

Gary Marion, 812 West Craighead Road said November will be two-years on West Craighead Road. I am calling for Part two of my issue; we took care of Part one already, thank you all for voting last November with the safety policy with DOT. We have signs at both ends of West Craighead Road that says, “no trucks”. Coming from North Graham Street all the way up to 1053 there are several signs that say, “no trucks”. Trucks are there every day; it is the same issue at North Tryon Street. There were signs on North Tryon Street. There were signs going up to the school when data was done last July on the 7th and again on the 18th. Fifty to sixty trucks barreling through, didn’t take long to take a picture, and in that picture, you had two trucks, one going in each direction. Somebody in the law enforcement, CMPD, Highway Patrol, Sherriff’s Department collectively, if they can get together and do something about it, I don’t know if they need permits, don’t need permits, but the sign is there and the trucks just come and go as they please and the signage is there. So, if the trucks are allowed, the sign should be taken down. It is either/or; it can’t be both.

Social Equity

Sintya Martinez, 6613 1st Avenue, Indian Trail said the price of a life is valuable despite race, gender, ethical background or religion. The price of a life should be valued from anyone you encounter. The price of a life should be preserved as much as it can be. Brittany Palmer, in 2012, was killed at the intersection of Eastway Drive and Sugar Creek Road. The only safety improvement was a crosswalk named in her honor. Israel David Plier was killed last month at the very same intersection. Tomorrow, Garinger High School will have a day of remembrance in his honor. Both were tragic accidents, but both could have been preventable. Have you actually walked across the streets where you knew there were safety hazards? Have you seen or heard the countless accidents that have occurred because of these hazards? Has anyone taken the time to view the safety issue, or is everyone going to wait until another tragedy follow?

I am Sintya Martinez, and I am Jessica Gonzales, Garinger JRC Study Team, which we chose to inform others about the term social equity this year and why not now when this seems like an equitable topic to talk about. In every article, they talked about the many incidents on the intersection of Sugar Creek Road and Eastway Drive. They recall the school zone speed limit that was 25 mph, which is false; the speed limit is actually 35, and of course many know many people will go above that speed limit.

Ms. Gonzales said as you stated in the Vision Zero Action Plan, the Urban Street Design Guidelines provides design guidance to create [inaudible] sensitive streets that serve all. Any streets where there are more than one-hundred students inside a school should all be considered a sensitive street. Also state in the Action Plan the total of $48 million approved in the 2018 Capital Improvement Bonds will result in more sidewalks and pedestrian safety projects, new bike infrastructure and continue to upgrade-

Mayor Lyles said we appreciate the work that you are doing. I especially appreciate you being in your uniform tonight; it really lends a presence to us. Thank you very much.

Traffic Concerns

Paul Spears, 8101 Sam Dee Road said I reside at 8101 Sam Dee Road in Charlotte, and I’m here to talk about the increases of homes that might affect my road. I was born on Sam Dee Road 67-years ago; I know the history of Sam Dee Road. It was not really created to accommodate heavy traffic which it does today. I’ve witnessed
many accidents on that road and some fatal deaths between Sam Dee Road and Harrisburg Road. This road was a two-lane dirt road that was kind of upgraded to accommodate more traffic. It has a lot of blind spots, it has sight-distance problems, but we would like to vote if you can to maybe reduce our accommodation of it is not so many houses there that would affect us. We are having problems getting in and out of the driveways now, and more increase on this would greatly affect us.

Mayor Lyles said we have someone take a look at it and get back to you as soon as possible.

Affordable Housing

Esha Moore, 2215 Caronia Street said I have been a resident of Charlotte, North Carolina over seven-years, and within the last four-years I've noticed the influx of buildings appearing; however, the building and complex I’ve seen appearing are luxury condos, townhouses, and apartments. Those apartment rents aren't attainable to the average working citizen making less than $40,000 a year. It truly saddens me when I turn on the news, and I see working-class citizens, such as white color or workers such as teachers or blue colors workers such as Fire Fighters complaining about the affordable housing crisis that is taking place here in Charlotte.

I notice when I drive on John Belk Freeway near exit 2-A you will see a lot of empty apartment buildings and they are steady building. The reason being the average person can't afford those apartments and the people who are attaining those houses are usually people who are from out of state whose jobs are relocating them here and providing them with the rental stipends. This is what I would suggest the City should implement more oversight over the developers and investors to ensure they are in front taking place, like for instance, a developer may come in and say they are going to charge $800, but once the building is fully developed they may jack up the rent to $1,400. Realistically, there is a gap between the income an individual may bring in and the amount of rent the rental property or landlord is charging. For my proposal, I would hope the City should also reprimand leasing offices that violate the rental property laws by charging three times the rent or more.

Mayor Lyles said we continue to work on this effort, and we love your ideas; please continue and if you have that written down please hand it to the City Clerk, and she will make sure that we get a copy of your recommendations and ideas.

Tyanna Shaw, 1801 Darkbrook Drive said Myers Park High School has a 25-mph speed limit; Audrey Kell has a crosswalk system which include guardrails on the side and flashing lights that makes drivers aware that they are in the school zone. Hawthorne has a speed limit of 30-mph located in the suburban area; Phillip O’Berry had a 25-mph speed limit with the times and the days that school is in session. West Charlotte, West Meck, and Harding all have a speed limit of 25-mph. As you have heard tonight, on September 19, 2019 Israel Plier, died walking across the intersection in front of Garinger High School. There were no guardrails on the sidewalk; the speed limit was not 25-mph. There were no flashing lights to warn the drivers that it was a school zone, and there were no crossing guards to help direct traffic. Just because we are high schoolers at Garinger, does our safety not matter? We deserve to be priority; we are citizens in the City’s care, and I, Tyanna Shaw, the Student Body Secretary at Garinger, do not feel cared about.

It is so confusing when I’m looking at other schools similar to Garinger and wondering why can’t we get the same care; why can’t we have the same speed limit, the same safety precautions? It looks like there is no immediate action place until a tragedy happens. We want you to be proactive rather than reactive. We need the students, staff, parents, and visitors to feel safe. It is not our fault that Garinger is placed in an urban environment, so as I stated we are in need of crossing guards and lower speed limits, even more so than the school located in a more suburban area. We also have a large amount of students who live in the neighborhoods around the school area, and...
they have no choice but to walk. There is a bunch of stores and businesses around too, which means there is a greater chance for accidents to take place.

As I learn in school, history repeats itself. If history repeats itself or could even get worse without a change, we do understand that the State controls the intersection speed limit, but you all as City Council members have the power to push for this change. The speed limit should have been changed in 2012 when Britney Palmer died at the same intersection.

**Dryer Vent Access**

**Carolyn Wade, 6816 Dumbarton Drive** said first, thank you Mayor Lyles and the Council for this opportunity to speak to you. I’m very grateful to be here to tell you about a problem in which the homeowners of the Old Georgetown Townhome Community, of which I am a member, and I have our hands tied in being able to affect our safety. Ironically, Fire Prevention Month, and this applies to that particular field; that is when your vents for your dryers are vented out into your home, perhaps through the roof. There is a proper cover on the vent that should be there that allows the lint and the hot air to leave adequately. Ours are not so, and I found this out when I did a routine and professional inspection and cleaning of my vent. Our trouble is and our hands are tied, because the common area in attached townhome communities is governed by management company and the homeowners board.

Going on three-months now, we have received no communication from our Board at a request to research and check into this issue. Far too often after a disaster where there is a loss of life and property, there is the hue and cry of this has never happened before. We’ve heard and read it in the newspaper and too often there were warnings that were disregarded or ignored when something like that happens. A neighbor of mine, and many of these neighbors are in their 70’s and 80’s, said well, Carolyn, you know the Titanic only sank once. So, I implore you to please help us with an ordinance that would help us keep ourselves safe and put the proper coverings on our roofs with the dryer vents.

Mayor Lyles said we are going to ask our Fire Chief to look into that and see what we can do and whether or not how we change and provide for that. I’m sorry to hear about your lack of communication with your HOA. Chief Johnson; are you okay?

**Dyslexia Awareness Month**

**Erin Martin, 5112 Baker Drive** said thank you to the City of Charlotte and Mayor Lyles for recognizing October as Dyslexia Awareness Month. Dyslexia is a neurological issue but creates difficulties with accurate and fluent word recognition, poor spelling, and a poor ability to decode words. Statistically, 15% to 20% of the population is believed to have some level of dyslexia, but only 5% of those are ever actually identified. Even fewer are provided the instruction they need to learn to read proficiently. This is not just a problem for our schools; this is a community issue that needs to be addressed. Dyslexic people are out of the box speakers, examples include: Thomas Edison, Walt Disney, Albert Einstein, Steven Spielberg, John F. Kennedy, Leo Martin and many more. As Charlotte grows, Charlotte is going to need some of these out of the box thinkers.

When dyslexic children are helped, they can flourish, but that is not always the case. The State of Texas found that 50% of their inmates were dyslexic. The typical path for a student who has dyslexia who does not get the help that they need can be a dark path, and you can only imagine why identifying and helping these students is important to our entire community. Students reading at grade level has not improved statistically in North Carolina since the 90’s, and our education system must change. Children at risk must be identified early and our teachers, colleges and universities must teach our educators the science of reading. In 2017, only 30% of North Carolina eighth graders had basic reading skills, and 31% were below basic. That is almost 70% of our children in this state who are not on the path to being college ready. If that is not a community crisis, I
don’t know what is. I hope that one day we won’t have to bring awareness of dyslexia, but until then please join with us. Our organization is called Decoding Dyslexia in North Carolina. We can’t do it alone; every community leader must be aware of what we do and stand with us. We ask for your help; we need you.

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ITEM NO. 9: CONSENT AGENDA

Motion was made by Councilmember Driggs, seconded by Councilmember Harlow, to approve the Consent Agenda as presented with the exception of Item Nos. 42, pulled for a separate vote and 50, 51 and 52 which have been settled.

Councilmember Phipps said I had a constituent reach out to me on Item No. 31 which deals with construct Newell South Neighborhood Improvement Project and basically wanted to know if this project could be built in phases as there are currently projects going on to improve the greenway and an overhead bridge connector there. We looking into the phasing of this and found out that in order to require a contractor to have phasing, the project would need to be rebid and delayed for approximately nine-months. So, I would think that for as long as these projects have been going on in the Autumn Wood Community, I don’t think the community would embrace another protracted extension of a project. So, we are going to be voting tonight and I hope my colleagues will join me in approving this particular contract for the Newell South Neighborhood Improvement Project.

The vote was taken to approve and was recorded as unanimous.

The following items were approved:

Item No. 30: Reflective Roadway and Runway Marking Material
(A) Approve a unit price contract to the lowest responsive bidder Swarco Industries, LLC for the purchase of reflective glass beads 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.

Summary of Bids
Swarco Industries $107,294.00
Potters $120,340.00

Item No. 31: Construct Newell South Neighborhood Improvement Project
Approve a contract in the amount of $1,594,043 to the lowest responsive bidder United Construction Company, Inc. for the Newell South Neighborhood Improvement Project.

Summary of Bids
United Construction Company $1,594,043.00
United of Carolinas $1,997,674.80
Zoladz Construction $2,020,601.00
Blythe Development Co. $2,138,966.50
Sealand Contracting Corp. $2,291,018.40

Item No. 32: Construct 25th Street Extension Project
Approve a contract in the amount of $4,445,241.63 to the lowest responsive bidder Sealand Contractors Corp. for the 25th Street Extension Project.

Summary of Bids
Sealand Contracting Corp. $4,445,241.63
Blythe Development $5,245,538.61
Dane Construction Inc. $5,613,004.60
Sloan Construction, a Division of Reeves Construction $6,869,916.02
Item No. 33: Construct Storm Water Repairs and Improvements
(A) Approve a contract in the amount of $4,066,599 to the lowest responsive bidder Onsite Development, LLC for the Storm Water Repairs and Improvements Fiscal Year 2020-C project, and (B) Approve a contract in the amount of $3,891,512 to the lowest responsive bidder Onsite Development, LLC for the Storm Water Repairs and Improvements Fiscal Year 2020-D project.

Summary of Bids Fiscal Year 2020-C
Onsite Development, LLC $4,066,599.00
United of Carolinas, Inc. $4,141,268.77
Blythe Development Company $4,269,441.25

Summary of Bids Fiscal Year 2020-D
Onsite Development, LLC $3,891,512.00
United of Carolinas, Inc. $3,937,700.37
Blythe Development Company $4,209,733.75

Item N. 34: Construct Folger Drive Storm Drainage Improvement Project
Approve a contract in the amount of $1,507,110 to the lowest responsive bidder Zoladz Construction Co., Inc. for the 6423 Folger Drive Storm Drainage Improvement project.

Summary of Bids
Zoladz Construction Co., Inc. $1,507,110.00
United of Carolinas, Inc. $1,878,838.50
Onsite Development, LLC $1,949,905.10
Sealand Contractors Corp. $1,964,693.50
Blythe Development Company $2,494,789.55

Item No. 35: Wastewater Master Plan
(A) Approve a contract for up to $1,600,000 with HDR Engineering Inc. of the Carolinas for the wastewater master plan, and (B) Authorize the City Manager to amend the contract consistent with the purpose for which the contract was approved.

Item No. 36: Fiscal Year 2020 Water and Sanitary Sewer Service Installations
Approve unit price contract in the amount of $3,497,164 to the lowest responsive bidder State Utility Contractors, Inc. for water and sanitary sewer service installations.

Summary of Bids
State Utility Contractors $3,497,164.00
B.R.S., Inc. $3,741,182.50

Item No. 37: Six Mile Creek Pump Station Improvements Construction
Approve a guaranteed maximum price of $4,257,600 to State Utility Contractors, Inc. for Design-Build Phase 2 construction services for the Six Mile Creek Pump Station Improvements project.

Item No. 38: Charlotte Water Analytical Laboratory Services
(A) Approve unit price contracts with the following companies for analytical laboratory services for an initial term of two years: Pace Analytical Services LLC, Prism Laboratories, Inc., Eurofins Eaton Analytical LLC, and (B) Authorize the City Manager to renew the contracts for up to three, one-year terms with possible price adjustments and to amend the contracts consistent with the purpose for which the contracts were approved.

Item No. 39: Bond Issuance Approval for Archdale Flats Family Apartments and Archdale Flats Seniors
(A) Adopt a resolution granting the Charlotte Housing Authority’s request to issue multi-family housing revenue bonds in an amount not to exceed $21,161,000 to finance the development of Archdale Flats Family Apartments, and (B) Adopt a resolution granting the Charlotte Housing Authority’s request to issue multi-family housing revenue bonds
in an amount not to exceed $10,672,000 to finance the development of Archdale Flats Seniors Apartments.

The resolutions are recorded in full in Resolution Book 50, at Page(s) 250-254.

The resolutions are recorded in full in Resolution Book 50, at Page(s) 255-259.

**Item No. 40: Refund of Property Taxes**
Adopt a resolution authorizing the refund of property taxes assessed through clerical or assessment error in the amount of $2,622.61.

The resolution is recorded in full in Resolution Book 50, at Page(s) 260-261.

**Item No. 41: Meeting Minutes**
Approve the titles, motions, and votes reflected in the Clerk’s record as the minutes of: September 16, 2019 Zoning Meeting, and September 23, 2019 Business Meeting.
Edgewater Drive from Matthew Gilbert and Kelley A. Gilbert for $10,000 for Edgewater Drive to Rosecrest Drive Sanitary Sewer Replacement, Parcel #1.

**Item No. 48: Property Transactions – Lakeview-Reames Intersection Improvements, Parcel #33**

Resolution of Condemnation of 952 square feet (0.022 acre) in Fee Simple within Existing Right-of-Way plus 1,135 square feet (0.026 acre) in Storm Drainage Easement at 5115 Lakeview Road from Yolanda Sanchez for Lakeview-Reames Intersection Improvements, Parcel #33.

The resolution is recorded in full in Resolution Book 50, at Page(s) 266.

**Item No. 50: Property Transactions – Lakeview-Reames Intersection Improvements, Parcel #55 and #56.**

Acquisition of 8,879 square feet (0.204 acre) in Fee Simple, plus 8,233 square feet (0.189 acre) in Fee Simple within Existing Right-of-Way, 415 square feet (0.01 acre) in Waterline Easement, plus 463 square feet (0.011 acre) in Temporary Construction Easement at 8505 and 8509 Reames Road from Lucinda Blackmon for $30,125 for Lakeview-Reames Intersection Improvements, Parcel #55 and #56.

**Item No. 53: Property Transactions – Sugar Creek Road Streetscape, Parcel #25**

Acquisition of 1,724 square feet (0.04 acre) in Storm Drainage Easement, plus 3,183 square feet (0.073 acre) in Temporary Construction Easement, plus 2,203 square feet (0.051 acre) in Utility Easement, plus 1,018 square feet (0.023 acre in Storm Drainage Easement and Utility Easement at 126 East Sugar Creek Road from CDG of NC, LLC for $26,350 for Sugar Creek Road Streetscape, Parcel #25.

**Item No. 54: Property Transactions – West Mallard Creek Church Sidewalk, Parcel #1**

Acquisition of 707 square feet (0.016 acre) in Sidewalk and Utility Easement, plus 2,108 square feet (0.048 acre) in Temporary Construction Easement at 10400 Mallard Creek Church Road from Bascom’s Corner, LLC for $12,125 for West Mallard Creek Church Sidewalk, Parcel #1.

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**ITEM NO. 42: IN REM REMEDY 2128 ROSLYN AVENUE**

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, to adopt Ordinance No. 9653-X authorizing the use of In Rem Remedy to demolish and remove the structure at 2128 Roslyn Avenue, (neighborhood Profile Area 382).

**Councilmember Egleston** said I will just point out that Councilmember Winston expressed similar concern; this is a house that looks to have some architectural value in a very historically rich community, but in talking with the District Rep and in talking with staff, it looks like the owner has been given repeated opportunities to start demonstrating some progress and some want to as it relates to rehabbing this house and has failed to do so. I think this is the only option we are left with which is unfortunate.

**Councilmember Mayfield** said when we look at the outside of this particular home, Mr. Manager, this is one of those potential structures where if we demolish this home we would never get back a brick home, and when we think about neighborhood sustainability and neighborhood character and the fact that we are losing it throughout, there is a possibility, because even if we were to get access to this through the bonds that we discussed last year, if we can get access to it, a new owner can go in, gut it and maintain this opposed to us losing this. Because there are no brick homes being built today and have not been built for at least a decade. Now, you see what comes out of the ground and when you look at neighborhood integrity what potentially could happen. I really hope that my colleagues are going to approve for this to go for demolition, but I

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really hope that prior to demolition we look at a different alternative to maintain this if the foundational structure of this building is still in good standing, because the inside can be gutted and that can be fixed. Finding a brick home today, the quality of the outside foundation is extremely difficult, and we keep saying we want to have aging in place and stability. Outside of this homeowner who has not done what they are supposed to do, we have the ability, especially when we have a clear need of access to housing in our community to start thinking things differently with how we maneuver as government. So, basically, I’m going to be a no.

Councilmember Phipps said I would like some clarification on these pictures; how old are they? Because it looks like some work is being done or was being done on this particular property. Is this a dated picture, or how recent is this? They have a dumpster in the yard; the interior looks like lumber and things are being done, so it looks like some funds have been spent to try to rehabilitate this particular dwelling. Could you bring us up to date on the timeline?

Jane Taillon, Division Manager for Code Enforcement said those pictures were taken approximately two-months ago. There has been no action at this property; it was taken before the Housing Appeals Board in June of 2018. The property owner was given a stay of 90-days to do work on the property, and we have yet to see any permits pulled or any work done on the property. I believe I heard Dr. Harlow say earlier that dumpster has been there for over two-years.

Councilmember Harlow said I will speak to that really quickly; full disclosure this house is two streets behind me in the Biddleville Neighborhood. We’ve had multiple code enforcement conversations at community meetings about it before my time on the Council when I was President of the Neighborhood Association. I know the owner of this property. I’ve had many conversations with him before about what his plans are for it. He inherited this property from family; there is no movement here, although it looks like there is work being done. I imagine if you took a photo four years ago, it would look just like it looks right now.

Mayor Lyles said staff sent out something in the pre-report that talked about the interior while it may look like that; it is sagging and has damage. I think the real question is whether or not we want to make an offer to buy the lot after it is for sale. I think that would get at the content that Ms. Mayfield talked about.

Councilmember Eiselt said I’m sorry that I don’t remember this Jane, but we talked about with multifamily the ability to do In Rem repair, which then if we do the repair it gives us the ability to have a lien on the property if they don’t pay it back, which means that would give us the ability to acquire it. Is that not something we would do for single family, or am I missing something there? It is just a different step in terms of just trying to buy it from them.

Ms. Taillon said I don’t believe it would be cost effective for us to be able to try rehab the property. There is no guarantee we would get ownership of it once that rehab was done; it would just depend on who the highest bidder is.

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


NAYS: Councilmembers Mayfield and Winston.

The ordinance is recorded in full in Ordinance Book 62, at Page(s) 429.
PUBLIC HEARING

ITEM NO. 15: PUBLIC HEARING ON AMENDING CHAPTER 11 – HOUSING ORDINANCE

Pete Kelly, 3011 Brandon Manor Lane said I am speaking on behalf of Equitable Community of Charlotte. I would like to urge the Council to not approve the wording changes to the minimum housing code. We urge you to leave the minimum housing code revision in the Neighborhood Development Committee until all the enhancements to the code enforcement process are completed. The key public interest in reviewing the minimum code is to decrease the likelihood of a repeat of the Lake Arbor Apartments scenario. The root cause of that unfortunate outcome at Lake Arbor had much more to do with the enforcement process than it did with the wording. The discussion tonight is strictly about the wording. The key to preventing the reoccurrence is to strengthen the escalation process upon validation of multiple violations for landlord. The City should not passively let residents, citizens’ rights to safe living conditions, continue to be violated when they are identified. I strongly agree that most existing NOAH apartment owners and managers are responsible and would not let the situation occur and therefore should not be penalized for others bad behavior; however, when unsafe living conditions are identified as systemic within a complex an extra ordinary action should be taken by the City to support the resident citizens’ basic rights. We believe the process can be strengthened in several ways including aggressively inspecting the apartment complexes having multiple incidents and now wait for the residents to come before the Council to raise awareness. Fully leverage the existing laws, including In Rem Repair and property liens for complexes found to be in excess and repeated violation. Lastly, improving communication with the complex residents to increase the pressure on the landlord to make the necessary repairs. We urge you to not consider your work completed on reviewing the City’s capabilities and preventing another Lake Arbor situation until further process improvements are made.

Mary Kelly, 3011 Brandon Manor Lane said thank you for the opportunity to speak this evening. The minimum housing code is about community residents; the 172 residents that were evicted from Lake Arbor. The City staff, the Neighborhood Development Committee and others have worked on and revised the minimum housing code that you have before you this evening. Please send this revision back to the Neighborhood Development Committee to focus on revising the process and staffing to support a more robust solution to prevent a reoccurrence of Lake Arbor. The code should require staff to be more proactive, review resident’s complaints, citing, and documenting apartment owners that are repeat offenders. This proactive step will raise awareness to City government sooner, allowing you more time to prevent a repeat of Lake Arbor.

In addition, we ask that you Mayor and City Council ask staff to be more solutions driven focusing on the issue for resolution versus meeting the standard code requirement. If we want to change our City for the betterment of everyone, we ask that you drive staff to seek full solutions that address our systemic issues. If we keep doing things the same way, following the same processes and procedures we will continue to get the same results. A Lake Arbor will occur again and the community will hold you accountable if new processes and staffing changes are not put in place to address the issue. Please do not approve the minimum housing code this evening.

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

Councilmember Harlow said I appreciate the speakers coming to speak to the item during the public hearing phase. This item comes to us tonight based on the referral to the Neighborhood Development Committee that we received in March to review our full housing code. City Council adopted the most recent version of this housing code in January of 2008 and based on current issues and challenges a review was needed along with just general time. It is always good to review our codes. Over the past five
Committee meetings we reviewed best practices, current issues, trend data to develop proposed changes that are before us tonight to the ordinance. We had County Health Director, Ms. Gibbie Harris come speak with us and talk through some issues around mold and our limitations as it relates to that per state statutes. Community feedback was solicited and considered throughout this whole process. Community engagement was robust, six meeting community meetings and four meetings with industry and housing advocates and grassroots housing advocates along with some real estate industry and apartment association folks as well as on line and in person surveys were conducted.

Considering all this feedback, the Committee felt and I certain feel and stood with the majority of the Committee that we had reached a point where we got to these sets of improvements which were mutual. I know that many will feel that we didn't go far enough and some may feel we are going too far. I don't want these proposed amendments tonight to have this idea of in search of the perfect getting in the way of the good. This is certainly good consensus; there is this strong clarification of language in these amendments, significant increases and punitive increases in civil penalties and a direct strengthening of minimal standards of fitness in this code, increasing civil penalties specifically from $100 on the first day and just $10 on each additional day to now including $100 for each additional day. Then also adding significant provisions around space and use, interior doors and doors hardware, lighting and ventilation, plumbing, heating facilities, structural, property maintenance for cabinets and requiring existing cooling systems to be operational. That last statement to me was just so basic, shocking that it was not in our existing minimum housing code. We didn't have basic things such as just properly working hardware on doors and drawers; so, adding that type of language just needed to be in there.

I want to speak quickly to some of the comments around allowing staff to change some processes. We had many conversations in the Committee about that as well. I appreciate the code enforcement team, Housing and Neighborhood Services Team, and all the folks who worked in the work group on getting this to this point. We are looking at how do we just prevent a Lake Arbor is not the only reason we brought this into the Committee but it certainly was as we know, a catalyst for it. Really, when it comes down to it we want to be sure that every place is a safe place to live regardless of where it is and regardless of who owns it. We've given the staff a charge, especially code enforcement, when there is a minimum threshold of complaints coming from code that we can then go in and kind of drop a net over a whole apartment complex to inspect it sooner. That will help prevent things. We can't totally prevent bad actors and bad landlords from being bad actors and bad landlords but these new changes, I believe, do make that more difficult. The Apartment Association and their constituents certainly were supportive of some of these and also community members and housing advocates as well. These changes represent I think positive progress in our efforts, will strengthen our ability to promote safe housing for all residents in our City and if they are adopted tonight they will go into effect on January 1, 2020.

Councilmember Egleston said Dr. Harlow covered a lot of what I wanted to cover, but I think philosophically I would challenge the Council, the community and our staff to say that there have been a lot of things and Dr. Harlow used the phrase letting great be the enemy of good. There have been a lot of things where that phrase has been coming to mind for me lately around housing, around zoning, around our Tree Ordinance. There are a lot of things that I think we ought to be looking at more frequently than almost 12-years for something as important as our housing code. I hope that we can get to a place on this and a lot of other things where approving this tonight does not say well, now it is perfect, and we stop looking at it. I think it needs to be, on this and many other things that we've got on the docket right now needs to be more of a constant state of
evaluation of how we can improve it. I hope no-one would argue that approving this tonight does improve our housing code; it doesn't mean that we get it to the exact perfect place or exactly where it needs to end up being, but I think we can be constantly evaluating and constantly improving a lot of these things and yet we often get feedback that it is not right enough yet and that we should kick it back. I would agree that we should keep talking about this in Committee overtime, and I would agree that we should talk about a lot of things that we are going to be approving over the next couple months but when we are doing things this big. We can’t wait until it is perfect. We’ve just got to keep making it better and then keep revisiting it. So, I hope that on this and others we will keep making those improvements as we have the opportunity but not forget about it for 12-years thereafter.

Councilmember Eiselt said to that point, if we go ahead and approve this tonight is it out of Committee?

Councilmember Winston said it is already out of Committee.

Ms. Eiselt said so it is out of Committee and it is not going back. The question I would have then is does it need to go to Committee if we are asking about the process? One of the things the Kelly’s brought up was the process of looking at infractions in apartment complex versus multiple infractions and whether or not we have a different threshold for when we take action when we look at all of the infractions in one building versus on a one-off basis individually. Is that something that would go to Committee or would that be something we would ask staff to look at and make recommendations?

Marcus Jones, City Manager said if the question is more about how this is being implemented that would be something that staff could come back to you and tell you how the implementation is designed. If it is a different policy question then that should go back to Committee.

Ms. Eiselt said if it is a change, if they come back and say well we just have a cue of all these complaints and we take them one at a time chronologically and when each complaint hits a certain day past due we take action versus saying we have 30 complains under one landlord, and we treat that differently. Is that something that would have to go into Committee or could we ask that staff address that?

Mr. Harlow said we asked that question in Committee and that does not need a policy change for us to do that right now. The charge to staff from the Committee was when we see X amount of, when we see these heat maps of we are getting all of this from Lake Arbor, let’s just use that as an example, let’s go in preemptively and inspect all of these units, because we can already to that. I think it was the initial thought that we couldn’t, but it turns out we could, we just weren’t doing it.

Ms. Eiselt said like Vision Zero or the Noise Ordinance and everything else that we’ve passed in the past year so it boils down to how willing we are to enforce. For that reason, I support the changes, and I will be voting in favor but also watching to see that we are willing to enforce these ordinances and take action.

Councilmember Ajmera said I have a couple of process questions. In terms of the current process, if there is a violation in one unit, is staff going ahead and inspecting other units within that apartment complex where we are getting multiple violation calls? Mr. Harlow said I will speak for staff; they are going to inspect every complaint they get but Jane if you could.

Ms. Taillon said the way the code enforcement process works now is if we get a complaint we go out and conduct an inspection. What we are talking about with this multi-family, inspection program which does not require any kind of ordinance change, we can implement that new process within our current framework is that we will identify those complexes where we are seeing a high volume of complaints. We will then look at those individual cases, determine what type of violations are being sited at those
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properties and then make a determination. Do we need to inspect a building or do we need to do an inspection of the entire complex? That is our game plan moving forward.

Ms. Ajmera said I think that gets to the bottom of this. I think the Lake Arbor issue really occurred where there was a process flaw. We received one notice of violation from one unit, but other units didn’t get inspected and we had seen that spread into bigger and bigger issue, and we have seen folks coming here at the Public Forum, so the purpose of this amendment, it doesn’t really address the root cause, which is really the process and what I hear is that process doesn’t need to come to the Council for an approval. Am I correct Mr. Jones? In order for us to change the existing process does it needs Council's approval?

Mr. Jones said no, it doesn’t need a change in terms of our implementation of what you’ve provided for us.

Ms. Taillon said there are certain processes we are required to follow because of our enabling legislation, so there are certain things we have to do. The one thing that I want to make sure that everybody is aware of is that we cannot do pre-occupancy inspections. So, we can’t just go out and inspect a unit before somebody moves into it. We have to have probable cause to get access to a unit. That is where we talk about with this multi-family, inspection program. We will look at our data, see where we are getting complaints, see what those complaints look like. Is it pealing-paint, or is it electrical issues? That will help drive us to where we need to be in the community to do additional inspections.

Ms. Ajmera said I understand there has got to be a probable cause, but if you are getting multiple requests from the same apartment complex, that is where it becomes a problem. We are not trying to increase the eviction rate. but at the same time we want to make sure that we are providing habitable place for tenants. Originally, when this came about, I thought it was really going to prevent from more Lake Arbors happening, and I struggle with this a little bit, because I just don’t have confidence in the process where we will prevent more Lake Arbors from occurring. How do we strike a balance, where we are becoming more proactive versus reactive? I see this amendment as us being more reactive to what happened, but how do we create a process that really makes us where we are ahead of the game where we inspecting the units where we are seeing so much concentration of more violations coming? That is what I hope to see in the process moving forward. I just don’t have confidence in this proposal, so I will not be supporting it.

Mayor Lyles said I think that you identify a lot of the issues around housing code inspection, but we have to remember that Lake Arbor, the property manager said if you don’t report it, I won’t charge you. So, there are a lot of human issues in this. Lake Arbor was one of those situations where people were taken advantage of, not by the City, but by a number of people in there. I think it is complicated and when we get to that level and scale it is often includes a combination of different types of issues. I think what the staff is trying to do is concentrate on where the most reports are to triage to get to those things immediately. I hope this will work in terms of a process for what we are responsible for doing, but I really think getting property managers to follow through on the things that are important, not having poor people victimized by rents that are going up or down and not being paid but don’t call the City. Those kinds of things are very, very hard, and I think the Committee had done a tremendous job getting at those things that we can control. I think that is commendable.

Councilmember Winston said I will not be supporting this unless there is explicit commitment to leaving this in Committee to continue to do work on using the minimum housing standards ordinance as both a carrot and a stick to get property managers and owners in line for commitments to our citizens in this City.

Yes, there are changes in here that are good, but let us level set. These are changes that should have been there in the first place. These are steps that should have been there when the original minimum housing code was put into place. This does not revolutionize anything. Yes, we have increased civil penalties, but what you will have is
this will be just the cost of doing business in Charlotte eventually. We also get reports from staff that yes, we can put all the civil penalties that we want, but if those property owners just wait it out they will slide off the books eventually. At best, those costs will be passed along to renters.

This does not get to the heart of some of the main problems. We said it in Committee; those apartments that you went into and you couldn’t breathe in, the property owners will be able to board those up for a little while and then re-rent them without fixing the problem that it caused in the first place. If we pass this without continuing to do the work in Committee to figure out better ways and different ways to use this tool, then this will just be the ability for us as elected officials to say we did something, and we didn’t do nothing when presented with the problem. The last agenda item when we are looking at this In Rem property, which falls under the minimum housing code ordinance, there are still a lot of questions that don’t seem to make sense. The repair costs of $75,000 on that property, which has a structure value of $8,800, they are saying a new structure can be built in that same place at $128,000, so it doesn’t make economic sense, which I don’t think is true. I think I just heard one of my colleagues say that is a lie that they couldn’t build a new structure over there for $128,000. I think there is a lot more work to do with the use of this ordinance, so do I have to make a motion to try to keep this in Committee?

Mayor Lyles said we have a motion right now; we can do this for the policy changes and you can bring up the motion later on or after the vote.

Mr. Winston said I will not vote to support this unless I know that there is a commitment to leave this in Committee to continue to do work to use the minimum housing ordinance as a tool to correct the many slumlord situations that we have here in Charlotte.

Councilmember Newton said procedurally, I think a substitute motion could be made here; am I wrong, or am I right there?

Mr. Egleston said you are correct.

A substitute motion was made by Councilmember Winston, seconded by Councilmember Newton, to approve these changes and leave this in Committee to be worked on to further strengthen and use it as a tool.

Mr. Newton said I think it is hard for me to ignore why we are here, and this is all premised upon the difficulties we’ve experienced at Lake Arbor. Having said that, I think it is very important that we have accountability when we are faced with derelict and negligent landlords who are unwilling to work with us. I think it is one thing when a landlord works with us, but I’m not sure that these changes and this new ordinance addresses the situation where one doesn’t work with us, and that is precisely what happened with Lake Arbor. To the extent that I think Ms. Eiselt made a very good point earlier when she asked the question about In Rem Remedies to the extent that In Rem Remedies can be enforced, what if anything does this ordinance speak to with regards to that particular remedy or that particular process? To be clear so everyone understands what In Rem Remedy is; that is where we go in and we make the repair and then we charge the landlord and the landlord doesn’t pay us back for that we can actually cease land to get reimbursed for those repairs, but I think it really is the one way in my estimation where we can ensure that when an uninhabitable premises exists, and there is the need within the community that it can be addressed when a landlord doesn’t want to work with us.

Anna Schleunes, Senior Assistant City Attorney said I just want to be clear, and I hear what you are saying, that you understand as a Council that in Rem Repair doesn’t mean that we can still become the owner of the property at the end; it would have to go through the same process of foreclosure. We would have to be the prevailing bidder in a foreclosure process. I just wanted to make sure that was clear.
Mr. Newton said but we would be reimbursed for repairs that we would make to the property.

Ms. Schleunes said it would be the same process that we get reimbursed from a demolition lien; it would just be a lien put on the property, which would be a 10-year lien and we would get paid if the property were sold or if we chose to foreclose and we were the prevailing bidder.

Mr. Newton said I guess the issue I have with it is in any other circumstances the repairs aren't made and we kind of end up in the situation where we have citizens who can't live in the units they are in and are displaced. That is exactly what we saw with Lake Arbor, so to the extent that we can and it sounds like we can do this, it is no different process wise other than the fact that we can come in, and we can make repairs, we can create habitable premises where they don't exist and I think that is lacking here.

Ms. Schleunes said legally the process for In Rem Repair is the same as the process for an In Rem demolition. Ms. Taillon just pointed out to me that there is a requirement that essentially, we have to be able to determine that the property owner has made the decision not to make the repairs.

Ms. Taillon said I think the challenge we would have had with Lake Arbor is that ownership was making repairs to the units, so we would have not been able to demonstrate or prove that they had no intent to repair.

Mr. Newton said I would content that are some triggers that did demonstrate themselves in that particular instance. Granted, maybe it us making a decision outside of the context of what that particular landlord was telling us, at the same time I really question whether or not that was a landlord under the circumstances, given the timeframe, that we could trust, and we see where we are today. Having said that, I would be much more forceful in making sure that these repairs are made, even it if is on our dime, knowing full well that there is a remedy for reimbursement. I don’t know if these changes in this ordinance addressed that and make sure that something like, to the extent that Lake Arbor occurred, make sure that something like that can’t occur again.

Councilmember Driggs said I’m going to support passing the Text Amendment. I want to point out, Lake Arbor is actually two precedents and not just one. Phase I was the process to which it was allowed to deteriorate to the point where it was an embarrassment to us as a City. Point two however, was when reacted to that everybody got evicted. So, that is an illustration of the dilemma when it comes to doing something like this, and I think we wrestled with that back and forth between how do you improve the conditions at these apartments and not create a gentrification problem? I don’t think there is a perfect answer, and I think if we go back looking for the perfect answer it is going to be a long time before we take any action.

I would like to emphasize, $100 a day is $3,000 per month per unit; that is going to get people’s attention. You are going to sit there racking up a bill for $3,000 a month on a unit that is worth $900 to $1,100 when you rent it. What that does in my mind is it creates a tool for our code enforcement, which is what we really need to do. I think the other part of the conversation then is how code enforcement uses that tool, whether they are adequately staffed to identify and address the situations that exists, but I think putting this in place moves us forward and not back and in that sense, I think this is a step we should take tonight, and we should have whatever conversations are necessary about continuing from there on the back of this. I don’t see anything in here that is wrong or bad. Most of the issues are is it really sufficient, is it going to accomplish what we want to do and I believe it gets us closer and we should adopt it.

Ms. Mayfield said Ms. Taillon, do you by any chance know what was the unit number as far as inspection that finally triggered the much longer conversation? Was it after 25 units, was it after 30 units; do you by any chance know?
Ms. Taillon said that would trigger it in the future or that triggered it in the past?

Ms. Mayfield said triggered in the past.

Ms. Taillon said we didn’t have anything in place in the past that would have given us a trigger. We’ve gone back in that data to guide us moving forward.

Ms. Mayfield said I didn’t hear if a number has been identified for a trigger moving forward.

Ms. Taillon said we are looking at probably a 15% threshold in either the past 12 or 24 months. We are working on that data to see what is feasible.

Ms. Mayfield said so, you are looking at now trying to extrapolate out of the size of the complex looking at if you recognize in a period 15% of calls have come in that have been investigated that may trigger to do either a building and/or an entire complex investigation.

Ms. Taillon said it would it would immediate trigger us to do an assessment. We would look at the violations that have been cited; once we determine what that is, then it would trigger, let’s go out and do a physical assessment.

Ms. Mayfield said I want us to keep in mind Lake Arbor is not the first and it is not going to be the last. This conversation, although we are looking to approve this tonight, this conversation started many years ago as far as what it would look like to actually create language; that is the date of point. You start it. It takes forever and a day in government to finally get to a place. We are much further along than we were tonight, but it will be helpful Ms. Schleunes, you may remember when we had to shut down Airport Inn out on the backside of Wilkinson Boulevard. Airport Inn, although a motel, was operating as an apartment complex basically. Do you remember under the circumstances where that was demolished? Did we trigger it or did the owner decide? Ms. Taillon, you may know since code was heavily involved in it.

Ms. Taillon said Code went out and did all the inspections; the owner ultimately demolished that property.

Ms. Mayfield said it is that catch 22 as my colleague, Mr. Driggs said, regarding an owner or a private facility being able to say I’m going to sell or I’m going to demolish everybody has to be evicted. The challenge and the opportunity government has is to be more proactive on the front end, because 15-months later it became what Lake Arbor became, the highlight in the media, but we could have on the front end, with the partnership we have with the County and other sources before the property evaluations were done started identifying other potential housing for residents. There is a trigger there. I don’t see, and maybe I missed it, where in our language it talks about what is the trigger for us to bring our partners into the conversation because we did relocate a handful of people. We could have been more aggressive on the front end, especially knowing that after eight-years there was going to be a property tax evaluation and the changes are greater that the evaluation is going to come in much higher after seeing major depression in numerous neighborhoods. I think that will be helpful as well after tonight when it is time to review how is this going to be actually implemented.

It will be helpful to know along with that 15% threshold, what is the trigger where our partners come to the table, and we look at either relocation? It was a very different conversation in 2017 and 2018, because we had a lot more units available throughout the community. A lot of those units are gone today; a lot of those units are also more expensive today, but we also have to recognize for us, we have limitations on what we can do, and when you are in the complex and you do not have a lease that is a valid, accurate lease, you are taking away even more ability, which we don’t already have for us to be able to fight for you. So, even though there is additional language that I would like to see and even though the reality is these are steps that should have been taken years ago, we are taking them now; we have an opportunity to move forward and
continue the conversation so future Councils can strengthen it. It is a lot of easier to strengthen it than to postpone it, and you have nothing done.

Ms. Eiselt said what Ms. Mayfield said, I agree with, because the one point you made Mr. Driggs is that it would force evictions if we took action earlier. My understanding is, and I don’t understand all the legality, but had we asked for In Rem Repairs or taken some kind of legal action it could have triggered state statutes which would have prevented the tenants from being evicted. That is what we need to look to at more in depth. I do believe, especially with the change in Council that we are going to have in December, and our Chair isn’t going to be chairing that Committee anymore. I do want to move this language forward, but I’m in favor of keeping the discussion in Committee if nothing else just to monitor the process and see if in fact it is going to make a difference. We know there is going to be a next Lake Arbor and hopefully we can see if this is going to make a difference on how we monitor that and how we take action.

Mr. Harlow said I’m appreciative of the comments and my understanding is we are in discussion for the substitute motion. Our job up here is to create tools through policy and the process stuff we leave to our great staff on the administrative side, so I’m a little confused on what is the policy question that is to be going back to the Committee? Yes, I won’t be here if this happens to somehow get back in the Committee, but regardless, many of you will be around. So, what is the policy question specifically that we can do legally? We had six Committee meetings on this and trust me I’m always saying tell me what we can, not what we can’t, and Ms. Schleunes was there many times. She missed our last meeting, but was there for most of the meetings, so I’m a little confused on what the ask is. If it is just about saying hey, code enforcement we need more of you, and we need you to enforce it this way because we already can do that then we can just say that. I don’t think that there is a Committee policy that needs to be- It is already there, so we already can do it, unless someone is asking something different that needs to be put out there, because I’m not sure I’m understanding what the ask is to do more on.

Mr. Driggs said I just wanted to say I think it is a poor process to attach a condition like that to this action, because when do we know whether the condition was met and in the meantime, is this thing effective or not? When you tag that on is there a future date at which a determination is made that that condition wasn’t met? In general terms, it is a requirement the fulfillment of which is difficult to test or prove, and so I would like to pass this clean and just resolve as a Council that we will go back and have further conversations in Committee but not have that as a formal condition for the adoption of this.

Mr. Winston said I don’t think we can just trust staff just to do an excellent job on this, because they haven’t to this point. They’ve already said here that there have been tools that they haven’t been using. So, I think it is our place as a Council to guide staff on how we want this City to be operating. If we need to put it into policy, that is what is what we should do.

We have had much input from community members that are familiar with the laws that govern this, and I’ve sent e-mails; they have sent e-mails to you Dr. Harlow and the rest of Council of actionable paths that we can go down under the guise of creating policy as it relates to our minimum housing ordinance. So, we have things that we can do. We know we need to go further; we know that we are going to have to go further as been said, and we should take this opportunity to leave it in Committee for as long as we need for it to be there until we are satisfied that we have the right tools in place to attack this part of our affordable housing crisis.

Councilmember Mitchell said my comments are on the staffing level Jane; I think, at least my frustration was addressing the staffing issue. So, this policy doesn’t address it. So, how many code enforcements do we have on staff?

Ms. Taillon said we currently have 40 inspectors; 12 of them are dedicated to minimum housing.
Mr. Mitchell said how many did we have prior to Lake Arbor?

Ms. Taillon said the staffing level was the same.

Mr. Mitchell said so, if you have to wave your magic wand, how many do you need to be effective? Pretend the City Manager is not here.

Mr. Taillon said that is a question I would love to be able to research before I gave you an answer.

Mr. Mitchell said I think the numbers will be help us; I think some of the frustration you are hearing around here is this policy is good, but it doesn't go far enough, and I know, me personally, I thought that if we had more staffers that were paying attention, some of this we could have prevented. That is an assumption we are making. I think the frustration for all of us is what created it? And we felt helpless. So, now we had the Lake Arbor, you had the citizens come down here, and we did not have any solution for them. I think we all just got to be careful if we create policy let's make sure the policy is not working against the citizens who we need to help.

I’m a Committee Chair, and you are right, this was a difficult policy that we referred to your Committee, and I never want to undermine the Committee. So, I know Dr. Harlow is like let's move now, and I agree we have to do something as Mr. Driggs said. So, I will supporting the original motion, but I think somehow Braxton- and I’m okay if you want to bring that up later on, but we can just close a chapter to this and then refer a different policy to the Neighborhood Committee.

Mr. Winston said it is going to be the same policy; this is our tool; this is the same ordinance.

Mr. Newton said I just want to clarify a point, the Chair had asked what more can we do in Committee? I really think what we can do and this is what I’ve been hearing time and time again; it is process and procedure. It is about strengthening the process and the procedure as it is codified within the ordinance. I don't think that is what we are doing here, and we can pin point those triggers, the types of things from the standpoint of In Rem Remedies, where we actually direct you as staff to go in whether it is through explicit consent of a landlord or through implicit consent by your actions. I think that is something we can talk about, and we can actually place inside the ordinance codify within it. That is why I think it is a good idea to go back to Committee.

Mayor Lyles said I think this is a great program tonight and if it does go to Committee tonight that is fine but we are going to have new Committees in December. It can go in December, and I think it goes back to the idea of what is the question that you are trying to address? I know it is going back would be something. It would be great if a couple weeks ago I called everybody, and I said tell me what the question is that you have, and tonight we have something on the agenda that addresses every question that anyone ask. That make a lot more effective use of time and effort; it takes some time, but it gives people time to think what is the question you want to make sure you address? And everyone gets to put it on the table. I tend to think this isn't the end of a beginning; it is something that we are going to have to do.

Mr. Winston said to that point, on September 23rd I sent my recommendations, and my questions in an e-mail to all of Council, and I read it aloud, because it could not submit it to the Clerk for written comments. So, this has been talked about in Committee, this has been talked about on September 23rd, and this is something that I spoke about last week. So, those questions have been given to my colleagues and staff to be considered, so this is not the first time that we are hearing this.

Mayor Lyles said that is correct; Mr. Winston has been diligent about that.

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

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October 14, 2019  
Business Meeting  
Minutes Book 148, Page 899

YEAS: Councilmembers Ajmera, Egleston, Eiselt, Newton and Winston.

NAYS: Councilmembers Bokhari, Driggs, Harlow, Mayfield, Mitchell and Phipps.

The substitute motion failed so a vote was taken on the original motion and was recorded as follows:

YEAS: Councilmembers Bokhari, Driggs, Eiselt, Harlow, Mayfield, Mitchell and Phipps.

NAYS: Councilmembers Ajmera, Egleston, Newton and Winston.

The ordinances are recorded in full in Ordinance Book 62, at Page(s) 403-427.

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ITEM NO. 16: PUBLIC COMMENT ON THE STREETS MAP

**Mayor Lyles** declared the hearing open.

**Eric Zaverl, 828 East 36th Street** said I am here tonight on behalf of Sustain Charlotte; I am their Urban Design Specialists, who was a part of the Streets Map Stakeholder’s Group, and we support C-DOT’s efforts in the Streets Map project to define future street space from curb to curb. This first segment of work is with the Blue Line and supports the TOD Districts that were passed. Given the pace in which development is occurring in these districts, setting aside future space now is much needed; however, Sustain Charlotte neighborhood groups would like to see more work done on the large Streets Map in the future.

A few items that we would like to see in the upcoming maps include more definitive design details for future facilities with key future projects reflected in the map. We would like to see other projects like the Bicycle Network or other future transit facilities easily reflected in that map as well. We understand that flexibility is needed; however, we want certainty with specific design elements, such as: lane width, number of lanes, whether using protected cycle facilities over the standard ones, where and when on-street parking is located and used on the street. The Streets Map should be a tool that is both clear and detailed enough to match the specific place types that are found in the new TOD Ordinance or that will be found in the new UDO zoning. The streets need to be safe from all modes of travel and meet the high design standards, as mentioned by all of the previous speakers in tonight’s Public Forum. I want to thank you all for your attention and concerns on this matter.

**Tony Lathrop, 100 North Tryon Street** said I Chair the Ordinance Advisory Committee for the pending UDO Ordinance. I’m here to speak in favor of this Streets Map policy and urge you all to adopt it. Our streets shape the pattern and character of our neighborhoods and centers and represent a significant shared public/private investment in our City’s public realm. The multimodal design and function of our streets is vital to creating great and livable places, ensuring equity and supporting economic mobility and quality growth. The Streets Map combines years of Council adopted multimodal and complete street policies, including the Transportation Action Plan, Urban Street Design Guidelines, Charlotte Walks and Charlotte Bike’s Plans into a single implementation tool tied directly to our new TOD Zoning Ordinance. It is also consistent with the Planning Commission’s Livable Cities goals from back in my day on that body.

So, this policy is a big part of the newly adopted TOD Zoning District, which you all adopted in April and supports the mission and work of our Advisory Committee to modernize our zoning and land development ordinances to shape our City’s growth. Specifically, this policy will accomplish three objectives: it is going to strengthen our immediate and long-term ability to build truly multi-modal streets along the rapidly developing Blue Line Corridor, provide a new standard of consistency and predictability for developers and the community about the future of our public streets, and third,
ultimately serve as a model for city-wide implementation in the ongoing development of our UDO.

I want to thank you all. I want to thank our Advisory Committee, thank the staff and the stakeholders and members of our community who put in a lot of time on this. and I support this. and I urge you to adopt it and look forward to our ongoing work with the Advisory Committee and the UDO to make Charlotte a great place to live, work and do business.

**Adam Raskoskie, 515 West 7th Street** said I am the Chair of the City of Charlotte Bicycle Advisory Committee. The Streets Map is a way to implement transportation policies in a transparent and predictable way; by clarifying a streets cross section and measuring the future curb line in a consistent way. We can provide quicker answers as development occurs and help create the streets that will support more travel options, highly livable neighborhoods, higher-density environments and the functional high-quality public realm that Charlotteans have asked for.

The City has come to the Bicycle Advisory Committee to present on this effort and collect input three times since this spring. City staff provided diverse ways to provide public input on the street network map, including collecting input on line and having opportunities to engage with the community on the map at public events. The Streets Map sets the street center-line to the back of curb dimensions for all arterials. The Streets Map also sets the street’s classification, which in term defines the frontage type. The TOD Ordinance uses the frontage types for certain design dimensions including setbacks. Using the Streets Map will ensure that the street will provide the necessary travel options to allow the high density, highly walkable, highly bikeable neighborhoods that support transit.

As part of developing the Streets Map, a Bicycle Facility Map was also developed. That map reflects and clarifies policy guidelines from Charlotte Bike’s adopted in 2017 to define the appropriate bike facility for each street. This information has rolled into the cross section for each street included on the Streets Map. The Bicycle Advisory Committee feels that the Street Network Map effort is in line with the City’s ongoing effort to include multi-modal options for our citizens. According to a survey completed by the City, 85% of Charlotte’s residents feel streets should be designed to accommodate all users including motorists, pedestrians, bicyclist, and users of transit. The Street Network Map outlines the long-term plan to accommodate all of these users, and the Bicycle Advisory Committee encourages you to support it.

Mayor Lyles said this is not on our agenda for adoption tonight; it will be back on our October 28th meeting for a vote and at that time we will not have speakers, since we would have already had the public hearing.

**ITEM NO. 17: PUBLIC HEARING ON A RESOLUTION TO CLOSE THE UNOPENED ALLEYWAY OFF WEST PALMER STREET AND WEST CARSON BOULEVARD**

**Mayor Lyles** declared the hearing open.

There being no speakers for or against, a motion was made by Councilmember Mayfield, seconded by Councilmember Ajmera, and carried unanimously to close the public hearing and adopt a resolution to close the unopened alleyway off West Palmer Street and West Carson Boulevard.

The resolution is recorded in full in Resolution Book 50, at Page(s) 216-219.
ITEM NO. 18: PUBLIC HEARING ON A RESOLUTION TO CLOSE THE UNOPENED ALLEYWAY OFF SOUTH TRYON STREET AND HAWKINS STREET

Mayor Lyles declared the hearing open.

There being no speakers for or against, a motion was made by Councilmember Driggs, seconded by Councilmember Mitchell, and carried unanimously to close the public hearing and adopt a resolution to close the unopened alleyway off South Tryon Street and Hawkins Street.

The resolution is recorded in full in Resolution Book 50, at Page(s) 220-223.

ITEM NO. 19: PUBLIC HEARING ON A RESOLUTION TO CLOSE A PORTION OF AUTEN STREET

Mayor Lyles declared the hearing open.

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

The resolution is recorded in full in Resolution Book 50, at Page(s) 224-226.

ITEM NO. 20: PUBLIC HEARING ON A RESOLUTION TO CLOSE A PORTION OF DARBY AVENUE

Mayor Lyles declared the hearing open.

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

The resolution is recorded in full in Resolution Book 50, at Page(s) 227-230.

ITEM NO. 21: PUBLIC HEARING ON A RESOLUTION TO CLOSE A PORTION OF RIGHT-OF-WAY ALONG PARKWOOD AVENUE

Mayor Lyles declared the hearing open.

There being no speakers for or against, a motion was made by Councilmember Driggs, seconded by Councilmember Harlow, and carried unanimously to close the public hearing and adopt a resolution to close a portion of right-of-way along Parkwood Avenue.

The resolution is recorded in full in Resolution Book 50, at Page(s) 231-233.
POLICY

ITEM NO. 22: MUNICIPAL SERVICE DISTRICT PROPERTY OWNER ENGAGEMENT POLICY

Motion was made by Councilmember Phipps, seconded by Councilmember Driggs, to approve the Budget and Effectiveness Committee’s recommendation to adopt the Municipal Service District Property Owner Engagement Policy.

**Councilmember Phipps** said the policy in front of you for consideration is the result of the June 3rd referral to the Budget and Effectiveness Committee. The Committee consist of myself, Vice Chair Mr. Driggs and Councilmembers Ajmera, Bokhari and Mayfield. As you may recall, both our Municipal Service District Partners asked for a revenue increase to the tax rate this past budget cycle. Early discussions about increasing the Municipal Service District property tax lacked information about property owners support for such increases. Short of any formal policy guidance, we asked our MSD Partners to conduct an ad hoc survey of property owners in their districts. It was apparent at the time a more formalized process for property owner engagement was necessary to consider an MSD tax increase. So, the policy being considered tonight was developed in consultation with and agreed upon by the City's MSD Partner Agencies and those are Charlotte Center City Partners and University City Partners. It formalizes the process for requesting MSD tax increases by requiring future requests be made in writing; it also requires notification of all property owners and tenants in the district and provides an opportunity to weigh in on the matter and defines a process to gage property owner and tenant sentiment to provide information in advance of City Council budget decisions. It aligns with the City’s budget development calendar, and it offers flexibility to maximize efficiencies, leverage current best practices and address unforeseen circumstances.

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

ITEM NO. 23: CITY MANAGER’S REPORT

**Marcus Jones, City Manager** said you have my 30-day report in front of you and some of the keys would be after the Zoning Meeting next week, on the 21st to give you an update on the capital projects progress and some tools that we have worked on in order to provide not only, the Council but the community, more up to date information about the progress of projects, as well as new 311 engagement tool. I think Councilmember Mayfield will be very excited to see that and an environment program, the Green Source Advantage Opportunity where we believe that Charlotte may have an opportunity to be unique in the State. We are taking advantage of that.

We have no Council meeting on the 4th; November 12th, we have it designed as a Council Strategy Session. That was on your calendar that was approved last year. I just want to make sure that is what the Council intends to do, to have a Strategy Session and not necessarily a Business Meeting, but what we would like to do at that point is to have Federico Rios come up and discuss with the Council some of the updates with this new office, as well as, we discussed this a little bit at the last Council meeting, the Diversity Equity Inclusion Report, its implementation and how we will be looking at different projects through that lens.

One thing that I would also like to bring to Council’s attention today is we had a great day in terms of some new City employees. Typically, each Monday at 11:30 a.m. I have an opportunity to greet all of our new employees; there is a one-day orientation, and we have about 500 employees that have come through that. Earlier today we had 49 new employees at 9:00 o’clock, and it is all because of your work in the 2019 Retreat the Council talked about the future of work and there were discussions about career pathways, and we figured that the private sector shouldn’t be the only game in town so,
you approved allocations in the budget that allowed us to have our first, I would call it Pre-apprenticeship Program where 50 individuals- and I do have to thank Brent Cagle, Victoria Johnson, Angela Lee, and Antoine Ensley for pulling this together. It is something that the Enterprise Funds have been doing over the years with Water and also with Aviation, but now the general fund is involved, so we have eight different departments. I will tell you that we had over 1,000 applications for these 50 positions, and we were able to have 49 people start today. The one person had another job offer. We are going to track that person, and it is very interesting; it is about upward mobility. We call it the Charlotte Career and Training Academy. The concept is that the first couple of weeks there are soft skills that they get. We are partnering with our local Community College as well as other partnerships. I won’t speak of ages but we had a gap of about 44-years between our most seasoned participants and our most junior participant. One of the great things about the program is that while they are getting training, our desire is that after six-months that they are able to step into a position in the City or with one of our partners. They get an all access pass in terms of transit, so for $33 they are able to use every mode of transportation. That is something we are very excited about, because the Council made it very clear to us that upward mobility is important and that we should also be in the business of finding career pathways for our residents.

Our own employees, we have four programs that we started this year: Supervisor Training, Career Pathways. We had a job fair for our employees two Fridays ago, so I’m sure there is some swapping of staff between different department heads with all the great talent that we have, and we also have job shadowing and a manager in training program. So, a big day for the City of Charlotte, we welcome our 49 new pre-apprentices, and we are going to give them every opportunity to succeed in this organization and the community.

Mayor Lyles said thank you for doing that. We talk about it a lot and now it is actionable so thank you.

The only one that I would like to add Mr. Jones is we talked about the briefing on transit planning, if we could add that somewhere in this that would be helpful.

Councilmember Winston said I just wanted to ask a question that I missed out on upstairs for the Silver Line. Is there consideration for both local and express track on the Silver Line, or are we just looking at one line? On a 26-mile long line, I would say that for ridership you are going to want to have some type of express on there. That is my thinking as I have ridden one of those before and depended on it. I wonder if part of the design of it will be to look at both of those options.

Mr. Jones said I will talk to both John Muth, as well as John Lewis and make sure we get you the correct answer for that.

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BUSINESS

ITEM NO. 24: AMENDED AND RESTATED INTERLOCAL COOPERATION AGREEMENT AND MEMORANDUM OF AGREEMENT – BROOKLYN VILLAGE

Motion was made by Councilmember Mitchell, seconded by Councilmember Eiselt, to adopt a resolution authorizing the City Manager to execute an amended and restated Brooklyn Village Interlocal Cooperation Agreement between the City of Charlotte and Mecklenburg County that preserves the City’s leverage for the development of affordable housing in the redevelopment plans for Brooklyn Village and an amended and restated Brooklyn Village Memorandum of Agreement among the City of Charlotte, Mecklenburg County, and the Charlotte Housing Authority.
Councilmember Winston said I would like to thank the various community members who have reached out to me over the past couple weeks who are very invested in seeing the Brooklyn Village Project succeed. Thank you staff for getting me all the answers to the questions that I had to get a better understanding of what was the prerogative of Council when this was passed in 2007.

I would like to point out that Sections 6.03 of the Interlocal Agreement states that the County has worked and will continue to work with developer and Second Ward Stakeholders. I would like to put out on the record that the City remains a Stakeholder in this development and should be continually engaged in the work done on Brooklyn Village. I will also say in looking at the minutes from that May 14, 2007 meeting around this, that a lot of our colleagues had the same concerns that are still around today in regard to the cost of building affordable housing. Councilmember Lochman pointed out that in this deal, the way it was structured the cost of building an affordable unit will be about $83,000 per unit. We have figured out a better way of doing that since 2007; we should be working with the County and hopefully the County and developer will engage us. There was the potential for a Housing Trust Fund ask when this was originally signed that we can be engaged, and we can find better ways of maximizing the public investment there.

Councilmember Foxx, at that point in time in 2007, there was only a 20% MWSBE contractor participation goal put in place. He posited that at that point in time that there was not necessarily the capacity to reach those goals, but he was sure that because of commitments made in past Wachovia contracts, there would be a capacity to get there. Well, 12-years from now we still don’t have the capacity to reach many of our goals, and again, one of the points that I put out there that yes, it is good to have a 35% goal, but it is no guarantee. We have to continue to do work to get to those goals, and I hope that again, we will be engaged to be partners to figure out how to actually get to those goals. It should not be an adversarial situation; it should be a partnership. I think we all share, like I said, we all share the desire to see this development and other developments in Charlotte develop in a more equitable restored of fashion, and I think with the passage of this tonight, we will take one more step forward in figuring out how to work together and getting that done.

Councilmember Ajmera said first, I want to thank staff because I had a lot of questions about this. There is a lot of history to this; there is over 10-years of history on this project, and I went back and looked at all the notes just to understand the history and why there was a vote that was taken, and I understand the intent was to include the part of history that was lost; that community that has been destroyed 50-years ago. The important question that we have in front of us today is does this proposal build the community back better than what it was? From looking at that intent, I have many concerns, because this is not the first time we have done an extension. There have been a number of extensions if you look at the history for this site specifically. When we look at our affordable housing, we have a build out plan that has been in the vision that was attached to this agenda item, and that is up to 10-years. What does it mean for affordable housing when the need is today?

In addition to affordable housing, we’ve got to look at open space, and I know our County Commissioners have discussed this where we are losing 5.4 acres for 2.5 acres proposal, and that to me is not better. That is not a better development. So, considering affordable housing, open space, number of extensions and the history that this site has had, I don’t feel comfortable having another extension of 10-years for this proposal all over again, but I don’t want to see 10-years down the road where it comes back to us again for another extension. There is a history here, and you’ve got to look at the history and vote based on that. I will not be supporting this. I have talked to the County Commissioners about this, because I was concerned about our relationship with the County Commissioners. I have talked to some County Commissioners and had expressed my concerns, but at the same time, I wanted to hear from them as to what was their take, and they said I would like you to vote your conscious, and I’m going to vote my conscious today, and I will not support this.
The vote was taken on the motion and was recorded as follows:


NAYS: Councilmembers Ajmera and Mayfield.

The resolution is recorded in full in Resolution Book 50, at Page(s) 234-248.

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ITEM NO. 25: INTERLOCAL AGREEMENT FOR ASHE PLANTATION WASTEWATER TREATMENT PLANT

Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, and carried unanimously to adopt a resolution ratifying an interlocal agreement with Union County to provide wastewater treatment services to the Ashe Meadows development.

The resolution is recorded in full in Resolution Book 50, at Page(s) 249-249G.

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Motion was made by Councilmember Egleston, seconded by Councilmember Phipps, and carried unanimously to authorize the Mayor to accept a four-year, FY 2019 Edward Byrne Memorial Justice Assistance Grant in the amount of $564,275 from the U. S. Department of Justice.

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Motion was made by Councilmember Egleston, seconded by Councilmember Driggs, and carried unanimously to authorize the Mayor to accept a three-year, FY 2019 Sexual Assault Kit Initiative grant in the amount of $1,494,054 from the U. S. Department of Justice.

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ITEM NO. 28: PRIVATE DEVELOPER AGREEMENT FOR LITTLE SUGAR CREEK TRIBUTARY

Motion was made by Councilmember Egleston, seconded by Councilmember Harlow, and carried unanimously to (A) approve a developer agreement with Parkstone South, LLC for curb, gutter and sidewalk improvements, and (B) Adopt Budget Ordinance No. 9652-X appropriating $56,000 in private developer funds for curb, gutter and sidewalk improvements.

The ordinance is recorded in full in Ordinance Book 61, at Page(s) 428.

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ITEM NO. 29: MAYOR AND COUNCIL TOPICS

Councilmember Bokhari said this Wednesday starts early voting, so don’t forget to get out and vote against the quarter-cent sales tax.

Councilmember Phipps said I want to invite this entire dais, as well as the rest of the community who is still watching us tonight to the Hidden Valley Parade and Festival, which is going to be this Saturday. The parade line-up starts at 9:00 o’clock at Mayfield Memorial Baptist Church at 700 Sugar Creek Road and the parade kicks off promptly at 10:00 a.m., and we will move over to Hidden Valley Elementary School for the festival that starts at 11:00 a.m. to 3:00 p.m.. That is Hidden Valley Elementary School right there in Hidden Valley on Springview Road. We look forward to seeing everybody there for some fun and entertainment. They are celebrating their 60th anniversary as a community there. Come out, it is election season, you want to be seen so come out and fellowship and have fun at the Hidden Valley Parade and Festival.

Councilmember Mayfield said this Saturday is also our LGBQT history tour which is a bus tour walking through the history of the lesbian, gay, bi, trans, and queer community here in Charlotte. Starting next Monday, October 21st to the 27th will be the kick-off Charlotte Black Restaurant Week. Thank you, Café, and all of our black restaurant owners as well as black food truck owners.

The last piece I will be reading because on tomorrow night at 6:00 p.m., West Charlotte at the West Charlotte Rec Center, there is going to be a community conversation regarding the process and the cooperation wanting a rezoning, the fact that some members of the community feels that there has been a lack of transparency to the neighbors. This is a rezoning on the proximity of un-remediated EPA toxic site to Graymar Apartment, and the proposed rezoning is for warehouse space. The actual location for the development is a concern, one of many is the fact that it is potential toxic site but also because the community meeting that was held was actually held outside of the community across Brookshire Boulevard. If you live in the neighborhood, if you are in the immediate area, please note tomorrow evening at 6:00 p.m. at West Charlotte Rec Center there will be a conversation and an opportunity for the community to come especially those of you that live in Graymar Apartments.

Councilmember Ajmera said many of you have received those snack baskets from American Heart Association. I hope some of you had an opportunity to try those. I certainly did. I have had multiple meetings with folks from American Heart Association. They are advocating for us to put a policy in place for healthy vending options. I think it is a great opportunity for us to provide options for those who want healthier options when it comes to vending machines, and I think we’ve got to look at that. Mecklenburg County has already passed this policy a couple of years ago. So many cities and states across this nation have done this; it is about time we do this, because people do want healthier options, and we ought to lead that by example. This also reduces the health care costs, so I would propose that we put this in our next meeting agenda for actually review. This is a pretty simple straightforward policy. It is one page, and I know many of you have received an e-mail from American Heart Association with this document, and I have also connected folks who came to meet with me from American Heart Association with our staff, but I think this is something pretty simple that can have significant difference in terms of healthier options for our employees and visitors as well. I hope that we can at least put this on our agenda for review and possibly adopt this at a later time.

Mayor Lyles said I don’t know that we really need to adopt it from this dais. The Wellness Committee that is made up of all the employees, I think you could give it to them. Did you connect with the Wellness folks?

Ms. Ajmera said this is actually a policy decision that we have to make, because this will include vending machines at all City facilities. So, for an example, our restaurant closes at 3:00 p.m.; I’m not sure what time exactly. I feel a lot of folks that are here attending Council meetings, they will go to a vending machine, but if they want healthier options
this is alternative. It is a vending machine, so they have to meet certain criteria so, all
the snacks have to meet certain nutrition criteria for it to be in the vending machine. So,
we have to pass a policy; County Commissioners have done it, and so many cities
across the nation have done it.

Mayor Lyles said Mr. Jones, if we can get that to you and you can process it through the
organization that will be.

Marcus Jones, City Manager said will do.

Ms. Ajmera said this will be a policy decision that we will have to actually adopt as a
Council, so I would like to see this in our future Council agenda.

Councilmember Eiselt said where are the vending machines? Do we have any
vending machines in the building?

Ms. Ajmera said yes, we have vending machines on the second floor. That is where a
lot of folks who are visiting, and it is not just this building. We have other City facilities;
there are so many City facilities that we need some healthier options for folks who have
blood pressure issues that cannot have certain salt options and so on, and we don’t
have that, so we’ve got to adopt this to provide alternative.

Councilmember Mitchell said I just want to say thank you for those who attended the
Opportunity Zone discussion we had. I really appreciate it. I think it was kind of eye
opening the work that we need to do and give best practices, so thank you once again
for attending.

Mayor Lyles said I have two things, and this one is really something I want Council to
figure out. We approved tonight Item No. 39 for the issuance of Archdale Flats Family
Apartments and the Senior Apartments. I asked the staff to tell me how many under 30,
60, and 80, and while we have no money into it, I feel like the Public Housing Authority
ought to be in line with the under 30, especially since that is an area that they have a
focus, but out of their 202 there were 36 under 30% and then 80% was 50 and then the
seniors seven were under 30%. I just wanted to ask the staff to have a conversation
about this. They applied for the four percent grants just like we do, and they are
actually competing with us in that regard for that allocation. When we are talking about
our policy versus what they are doing and their mission was originally 30% and under
generally and I’m not saying not to do this. I think this is a great idea, but I would like to
at least have some conversation about the consistency of what those two policies would
be.

Councilmember Driggs said in that same vain Mayor, when I saw that I wondered
what the intent was of the statutory requirement that we actually approve this and
whether it was intended to confer on us any authority over these decisions.

Mayor Lyles said and it doesn’t. They are planning on coming to ask us for four-percent
deals to fund theirs from the Housing.
Mr. Driggs said I get that; the original intent of requiring that they get this authorization
from us to issue that debt was unclear to me why.

Mayor Lyles said it some requirement of the Local Government Commission I’m sure.
We will figure that out. I just wanted to us have an awareness of this.

The final thing I want to say is happy birthday to Great-Grandpa, who will be 98-years
old this Saturday. Romeo Alexander, he’s lived in McCrory Heights; he’s lived in Druid
Circle. He was an entrepreneur that came home from the war and just really made
something for his family and the foundation for it, so Romeo happy birthday 98-years
young.

Councilmember Winston said I just want to remind everybody out there that early
voting does start in two-days on October 16th; election day is November 5th. Everybody
around this dais is up for re-election, so you get a chance to choose, but every seat at this dais is up for re-election, as well as all of your at-large school board members and an important sales tax initiative for public revenue stream for the arts, parks, and education. During early voting is your opportunity to update your voter registration, so if you have moved, if you have never registered to vote, if you have completed your debt to society by completing your jail term, probation, you can register to vote and participate in this and future elections. You cannot register to vote on election day, so if you have not registered at this point in time the only way that you can participate in this election is by participating in early voting which starts at 8:00 on Wednesday, October 16th at Hall Marshall Center.

Councilmember Driggs said let us all remember Christopher Columbus, whose Day it is today.

Councilmember Harlow said I will mix my professional life into the Mayor Council Topics today; I want to let everyone know about the North Carolina Missions of Mercy Dental Clinic that will be here in Charlotte at Bojangles Coliseum October 18th and 19th. That is Friday and Saturday. It comes to Charlotte every two-years; it is a free dental outreach program where we are going to have free dental care for any adults that shows up. We serve generally about 2,000 to 2,500 dental patients over a two-day period. If you know folks who are underinsured, don't have traditional access to dental care and need services, there will be deep cleanings, extractions, fillings going on. A select few, probably about 200 to 300 partial dentures will be made on site at this dental clinic. We normally do it at the Convention Center, but something else is happening at the Convention Center, so we are doing it at Bojangles Coliseum this year, but it is a mobile clinic that moves throughout the state. There will be access starting at 5:00 a.m. on Friday and will go to 6:00 p.m. that evening and Saturday do the same thing, 5:00 a.m. to 6:00 p.m. If you have never seen this before, people are lining up out of the door starting about mid-night, and it is first come first served and when the door opens at 5:00 a.m. we just move them in and do what we can and move folks out. Please come out North Carolina Missions of Mercy Clinic; we will have tons of volunteer dentist and hygienist and staff out there to help anyone who has dental needs and can be serviced over those two days between 5:00 a.m. and 6:00 p.m. Friday and Saturday.

Councilmember Egleston said that is an awesome event, and thank you and all your peers for doing that important work. Two things, I just wanted in the spirit of shared information, as the Mayor says, wanted to make everyone aware that I have engaged the City Attorney’s Office to get an update on what measures of control we have, if any, around predatory towing. Predatory towing in this City is getting worse by the day it seems, and there was a gentleman who reached out to me who had been towed from Dillehay Courts which is a Charlotte Housing Authority property and is being I would say extorted for $1,000 to get his car back. I’ve engaged Fulton at the Charlotte Housing Authority as well around what opportunities there are for visitor parking at that or any of the other facilities we have for affordable housing, but apparently there are none there. There were none available for this gentleman whose car was towed and he been told it is $1,000 to get it back. This is not an isolated incident; none of us have $1,000 burning a hole in our pocket but particularly not people who are living in or family with some of the folks in our affordable housing complexes. We see it all over the City, particularly in my district, given that it is kind of the central district of the City, and there has got to be something at a local or state level we can do to prevent the predatory nature of some of these companies. I know there are people in that business that do good work that help people when they are broken down and when they are stranded or whatever but there are people that are doing a disservice to this community and I would like for us to take a look at that. The City Attorney’s office is pulling together some stuff to help us understand what, if anything, we can do.

On a lighter note I would like to tell everybody that on Saturday, November 16th tickets are not for sale; Charlotte Has Talent, the Queen City’s first ever talent competition featuring local Charlotte celebrities. It will benefit an organization called Least of These Carolinas. It is a local non-profit that serves children in foster care in our community.
That event will be held at the Booth Playhouse, and one of the acts in that event will be everyone’s favorite local pod cast host, Mr. Bokhari, and I will also be participating.

Mayor Lyles said are you singing

Mr. Egleston said there will be a musical number performed by two of your colleagues at this particular talent show. Unless LaWana is your favorite podcast host, then your second, and third favorite pod cast host will be performing a musical number. We would love to see anybody that can come. It is a great cause and the money will be put to good use.

Ms. Mayfield said how do people purchase tickets?

Mr. Egleston said thank you Ms. Mayfield; it is available at lotcarolinas.com.

Mr. Winston said can I get clarification on something Mr. Egleston said? This topic of predatory towing and on-street parking and private businesses claiming spots has been brought up as an equity issue way before Mr. Baker has been here. Something that came up, I know a couple Councilmembers asked for this during our last Retreat. It has come up a number of times; it has been asked to look at in Committee, and I know we don’t like to look at things in Committee but in a place where we can look into the changes that need to be made. I know work was done on this ordinance a few years before this Council was on, but I think it is very serious, and it is something that we continue to bring up, but we really have not taken any meaningful approaches on over the past two years, and I hope that we can as a full Committee or Council.

Mayor Lyles said Mr. Baker is going to give us some information and then we are going to go from there, because I think the last time we did hear some information from the prior City Attorney about some of these issues around it, and it was really not good.

**Marcus Jones, City Manager** said in terms of the red bagging, I know that is something Ms. Mayfield has brought us in the past also. So, what we will do is maybe we haven’t circulated Liz Babson’s response, so I will make sure we get that to you.

Mr. Winston said simply asking a question and providing a response is not doing work to improve this situation. We need to get stuff into a process that allows us to work on these things. If the changes have to be incremental in nature over time, then so be it, but just circulating a response of why we are where we’re at is not doing the work to change the status quo and get us to where we need to be.

Mr. Egleston said that was one of my questions to the City Attorney’s Office; what are the options that we have available to us and from those I think we can determine what course to take?

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**ADJOURNMENT**

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

The meeting was adjourned at 9:13 p.m.

Stephanie C. Kelly, City Clerk, MMC, NCCMC

Length of Meeting: 4 Hours, 9 Minutes
Minutes Completed: October 25, 2019

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