

**Meeting Minutes**  
**June 2, 2020**

**FORMAL SESSION**

*Due to the State of North Carolina's Declaration of Emergency in response to the COVID-19 pandemic and per NCGS § 166A-19.24, the Mecklenburg County Board of Commissioners conducted a remote meeting using the WebEx application.*

**CALL TO ORDER - 6 PM - REMOTE MEETING**

The Board of Commissioners of Mecklenburg County, North Carolina, met remotely in Formal Session on Tuesday, June 2, 2020 at 6:01 p.m. with Chair Dunlap presiding.

Present:           Chair George Dunlap  
                      Commissioner Patricia "Pat" Cotham  
                      Commissioner Trevor M. Fuller  
                      Commissioner Susan Harden  
                      Commissioner Mark Jerrell  
                      Commissioner Vilma D. Leake  
                      Commissioner Elaine Powell  
                      Commissioner Susan Rodriguez-McDowell  
                      Commissioner Ella B. Scarborough

Chair Dunlap called the meeting to order, followed by introductions, the invocation led by Commissioner Powell, and the Pledge of Allegiance to the Flag.

Commissioner Powell said she would like to acknowledge the genuine outrage from the murders of George Floyd, Ahmaud Arbury, and others; she said she would like to extend sympathy to their families and friends who are grieving. She said they were all seeing and hearing from protesters who were flooded with emotions, pain, frustration, fear, anger, uncertainty, overwhelmed, and exhausted from dealing with layer and layer of hurt for so many years, for generation, tired of fighting to be heard and trying to prove everyone was created equal. She said she prayed for unity and leadership that unites. She said that she prayed they would work together to get to the heart of the protest and take the time to listen to different perspectives and that they would all have the courage to stand up to the power of those who have disproportionate influence. She said she prayed they would all take action for what is right and believes they are all brothers and sisters and urged to pray for leadership that would unite.

**AWARDS/RECOGNITION**

**20-6179: Proclamation - National Gun Violence Awareness Day**

Commissioner Rodriguez-McDowell said this proclamation declares the first Friday in June to be National Gun Violence Awareness Day in Mecklenburg County to honor and remember all of the victims and survivors of gun violence and to declare that we as a

## **Meeting Minutes**

### **June 2, 2020**

county and a country must do more to reduce gun violence. Anyone can join this campaign by pledging to wear orange on June 5th, the first Friday in June in 2020 to help raise awareness about gun violence. With this proclamation, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands by encouraging responsible gun ownership, to help keep our children and all of our people safe. This is also perfect timing as we allocate real dollars, \$320,250 to implementing a violence intervention specialist program in our FY21 budget on this very day. I am proud to support this proclamation and this budget item.

Commissioner Rodriguez-McDowell read the proclamation.

A motion was made by Commissioner Rodriguez-McDowell, seconded by Commissioner Leake, and carried unanimously to adopt a proclamation declaring the first Friday in June, June 5th, 2020, as "National Gun Violence Awareness Day" in Mecklenburg County.

Commissioner Leake said she just wanted to make a statement as it related to the National Gun Violence Awareness Day. She said all of the Board was familiar with what took place a couple of weeks ago to one of the County's staff, and it was close to her heart, because it took away the lives of a mother and son without a necessity of having been so. She asked for continued prayer for them and the Country.

Commissioner Cotham said she wanted to raise awareness on how gun violence has impacted this community. The following were homicide victims who had died by gun violence: Daquavoan Lavar Brown, he was 17-years old, Kareem Shamon McCleod, he was 22-years old and died on Clanton Road. Phillip Patrick Young, affectionately called Bill Trill, he was 29 and died on the Plaza and Eastway Drive. Napoleon Franklin Brown was 27, and he loved basketball; he died at the Burger King on Beatties Ford Road by I-85. Kyle Shannon, affectionately known as Slim, was 17-years old and went to Garinger High. Jordan Hill was 20 years old and was shot on Pruitt Street in West Charlotte. Joshua Javier Diaz was 28-years old and died on Albemarle road. Cladarious Biddle died on the Plaza while sitting in his car at 8:00 in the morning. Samuel Harrison Stitt was 22 and had already organized a Stop the Violence motorcycle ride; his mother said she did not want her son to be a statistic. Darnell Lamont Harris, he was 48-years old and worked at Steak and Shake on South Boulevard; he protected customers during a robbery and saved lives. Darnell Mills was 20-years old and died on East W.T. Harris by having been shot in the head by a passenger in his car. Darren C. Ford was 25-years old and died on Katherine Simmons Avenue off Beatties Ford Road; he had a four-year old daughter. Deontray Shakale Love was 19-years old and died on Idlewild Road and Snow Lane. Jacques Keyshawn Moore was 19-years old when he died. David Lindsey died in East Charlotte while sitting in his car; he was a barber at No Grease Barbershop, and everyone said he was one of the good guys. La-reko Williams was 21-years old, and he died on Old Pineville Road; he was young and loved Scooby Doo. Bobby McKeithen was 16-years old and died at Butler High School. Riley Howell and Ellis Parlier, the two who died at UNC-Charlotte.

A copy of the proclamation is on file with the Clerk to the Board.

**PUBLIC APPEARANCE**

**20-6176: Public Appearance**

The following speakers address the Board of Commissioners:

1. Rev. Jordan Boyd - Inequality at Charlotte-Mecklenburg Schools
2. Dr. Ricky Woods - Inequality at Charlotte-Mecklenburg Schools

**APPOINTMENTS – NONE**

**PUBLIC HEARINGS – NONE**

**ADVISORY COMMITTEE REPORTS**

**20-6185: Adult Care Home and Nursing Home Community Advisory Committees Annual Report**

Hillary Kaylor, Regional Ombudsman for Mecklenburg Nursing Homes, said the Board was able to recommend a lot of people to the Committee and the Committee actually did orientation and implemented over 30 new volunteers in the programs, which increased their visibility quite a bit and their ability to do more facility visits. She said back in April 2019 they were able to be involved in Advocacy Day in Raleigh and were able to advocate for the personal needs' money increase for the residents on special assistance or Medicaid. She said it went through with a lot of support but that they were not in the final budget for the Governor's budget.

Lindsey Tice, Regional Long-Term Care Ombudsman, said there were some challenges this year with a couple of the adult care homes back in June 2019. She said almost a full year ago we had one senior living facility in Mint Hill that was actually closed by the fire marshal, because their fire enunciation panel and sound system was not up to code. She said the residents were evacuated to the other buildings all across our region, so not a great time for those residents who lived there, but it was for their safety. She said they did return back in December 2019; the renovations took a lot longer than originally expected. She said the Regency at Pineville, down near CNC Pineville had their license revoked by the State of North Carolina in the end of 2018. She said it has reopened under new management and is now called The Charlotte. She said they are becoming a full-fledged facility again.

She said one of the continuing challenges was that while there were many nursing homes, assisted living, and family care home options, very few were affordable. She said probably

## Meeting Minutes June 2, 2020

the most affordable assisted living would be \$4,500 a month, and that number can go up to \$12,000 a month, which is a lot of money. She said there are very few adult care homes that even accept the State-County special assistance program, which was a Medicaid-type program for low income. She said the regulations did not require the facilities to accept it. She said there were maybe five that did accept it. She said there was a very large gap of people who fall in the middle of being able to afford a private pay and who can qualify for State-County special assistance. She said the challenge for a lot of people, maybe \$20 over the cutoff rate, putting them in a harder time for finding a facility.

She said they had a little bit of growth that would be happening as they had a new adult care home that will be in Huntersville and a couple of more CCRC's, continuing care retirement communities, that were opening up in the Charlotte area. She said they would be something similar to a South Minster, Sharon Towers, Pines at Davidson, Plantation Estates, where a neighborhood would have independent living, memory care, and skilled nursing all on the same site. She said they had three of those that were in planning in Mecklenburg County, with one that would be close to being finished in South Park. She said they did have some growth in that area but had a lack of affordable housing for people in long-term care in Mecklenburg County. She said she also covered Stanley County, and there were more options in some of the smaller counties in the region for folks who needed a more affordable bed than what there was to offer in Mecklenburg County. She said they were very good stewards of visiting their facilities and that they have not been able to visit since March 19, 2020 due to COVID-19, so things were a different world for them right now. She said they had certainly utilized Zoom, Face Time, and WebEx to stay in touch and advocate for their residents in long-term care.

Commissioner Jerrell showed appreciation to Ms. Kaylor and Ms. Tice and all the members of the Committee for all they had been doing as it related to the seniors. He said it was so important that they ensured they would be taken care of. He said he was specifically concerned about the nursing homes. He said assuming there was a different level of residency when it came to certain facilities, obviously people of means and some of the facilities were well-taken care of, but that his concern was for the folks in nursing homes. He requested more color around the impact of COVID-10, since he noticed that COVID-19 had really impacted people adversely as reports show. He asked what they saw and heard and how they were acting as intermediaries in that regard.

Ms. Kaylor said they had seen a dramatic increase, with a slow to rise number since March, as there were four to six nursing homes that had COVID-19 cases and in the past two weeks, the number had risen from 15 to 17. She said they were very concerned, because they felt even though the community may have been in phase one of reopening, the long-term care facilities were still not there. She said they were a congregate setting, and they were there for a reason; they were frail, have a disability, multiple chronic health concerns, so they were seeing that it came creeping into those facilities a bit later, and they were worried about how long it would stay. She said she was very concerned. She said they were diligently calling their facilities to keep in touch with them, sending resources from the health department and CDC and PPE equipment collections. She said

## Meeting Minutes June 2, 2020

she had been reaching out to the resident council presidents at the facilities to ask how things were going and that not being there to see it was their biggest challenge.

Ms. Tice said adult care homes had not had many outbreaks but did have a few early on, including congregate sites that were not licensed assisted livings. She said as of now, she only had two in outbreaks. She said assisted livings could vary a lot, with a lot of assisted livings in Mecklenburg County that serve a younger demographic, folks who have had significant, mental illness without another good place for them to be. She said those were the folks she was concerned about during the outbreaks, because they were used to getting up and going, and that was very hard for them. She said the facilities had been very good about meeting their needs with the activities department, but that it was not perfect. She said one of the other voiced concerns was the dementia care units, mainly found within assisted livings, as she said they did not quite understand or did not want to group everyone together, but that there were quite a few folks who did not understand the iPad and why they were visiting with their daughter on the phone. She said that could be upsetting to residents, and they were constantly working with their facilities to try to come up with activities and ideas and other interactions for those residents. She said she and Hillary had started a postcard, with the ombudsman organization, that they were sending out to their residents regarding their stimulus payment and how it was there's and did not belong to the facility for any back bills unless the resident decided to use it for that purpose. She said they had been trying to get creative in advocating for the residents and had their hand in the pot without being there.

Commissioner Harden said seniors had been making up a considerable portion of the people who were impacted by COVID-19 but that not as many dollars are relief funds are going to seniors. She asked them to talk about the need for PPE, testing, support for mental health, and technology. She asked what was happening after six weeks of COVID-19 a failure to thrive because of the isolation was starting to be seen.

Ms. Tice said they were seeing that every facility was in a different place when it came to testing; some of the facilities, because of their company policy, may have gone full throttle and done base-line testing for the whole facility and some had not done that as well. She said some of the things she had spoken to staff and administration was that when they had two or three cases, they should have tested everyone so they would have had a baseline and been able to move forward. She said she thought the availability of testing was still there but that they had not jumped over the threshold to complete of that, and they wanted to make sure the testing was readily available to them. She said she thought the social isolation for the residents was a big concern and that there had been some state advocacy to get tables for each facility, maybe 10-20 to talk to their family members, do safe visits outside the porch at a certain area. She said they still know families go to windows and check in with their loved ones and lay eyes on them and try to do it safely, but that they do feel because they are not eating in congregate sets but instead inside their rooms alone and not doing activities together, they were doing it individually and were in need of activity-related huddles and cards that keep people busy. She said the PPE equipment had ebbs and flows in availability, and we know that masks were now finally good, and gloves and gowns may not be. She said they were kind of looking to the

## **Meeting Minutes**

### **June 2, 2020**

future of the reopening and what that would mean. She said throughout that period of time, she and Lindsey had been getting a lot of phone calls about families desperately wanting to visit and only under certain circumstances and end of life could they visit, so it had been really hard on the families and residents. She said they were concerned what the outcome would look like on the other end.

Commissioner Rodriguez-McDowell thanked Ms. Tice and Ms. Kaylor for the work they do. She highlighted the lack of affordable options and the fact that the adult care home options were severely limited when it came to facilities which accepted State-County special assistance/Medicaid for payment. She said most of those were memory care facilities and the average private pay rate was \$3,500 to \$11,000 per month, which was a significant disparity in affordable care. She said that was something they do not talk about enough and raising awareness about it was very important. She said she had an 80-year old mother living with her and knew there were many people out there who had the struggle of how to care for the elderly.

Commissioner Fuller asked when they hear about what is happening, particularly at long-term care facilities, what is going on? He said he also worries about employees, because he had been hearing about employees who did not have sufficient personal protective equipment and had gotten infected.

Ms. Kaylor responded that she thought they were in a little better place at the moment but that he was right, for the past two months, things had not been readily available how much to order, and she knew with infection control, in the facilities, it had been a big challenge of making sure they were using the equipment the way they should and removing it the way they should and going from room to room or from a facility that has a unit of COVID-19 versus ones that were not having any cases. She said there was a big challenge even the regulatory agencies in the State were on hold for regulatory visits in the buildings in the past two past two weeks that had opened up, and they were doing a number of infection control surveys in regulator visits in the buildings. She told him she heard the same things he heard that the equipment is there and comes and goes when they have a lot of gloves and not a lot of masks. She said she also worried about the fact that a lot of the staff works in multiple locations and that cross-level contamination as well. She said that was a big concern going forward of how long they would need to keep up the tremendous need for the PPEs.

Commissioner Leake asked about the Task Force and when and where it met. She said her concern was the \$30 per month for a member who was confined, as that was only sometimes \$1 a day to an individual to want to splurge just a bit.

Ms. Kaylor responded that the meetings have been weekly on Monday afternoons.

Commissioner Leake said she was concerned about salaries for the staff who were working in the confines of the facilities. She said to let them look at the facilities and what the State and federal government were doing and encourage them to do a better job.

**MANAGER'S REPORT**

**20-6205: Spirit Square - Redevelopment Options**

Dena Diorio, County Manager, said we were looking for the Board to vote on which option they would like to proceed with tonight. She said that the item was in conjunction with the next item on agenda and that there was nothing that they had not already seen with this item before.

Mark Hahn, AIA, Director of Asset and Facility Management, provided a presentation on redevelopment options for Spirit Square. He alerted the Board that the cost estimates had increased significantly since the last time he presented the information. He said on average, the cost had increased \$10 million for each option, and while the factors varied somewhat depending on the option, the most substantial increase included overall cost increases for labor and materials, based on the current construction market and cost escalation for three years that was not included in the previous estimates, and new work to build the existing ramps from the theaters had not been designed yet for the previous estimates, as well as new work associated with providing rehearsal and multi-purpose space that is required by bidding code for assembly areas.

He said all three options had pedestrian open space and plazas; to achieve that, a little more than half of Spirit Square was shown to be demolished in Option A. He said the estimated cost of construction for this option was \$31.6 million, including upgrades for both theaters and soft costs were coming in at \$7.9 million for a total estimate project cost of \$39.5 million. He said Option A would create a new pedestrian connection from Tryon Street to mid-block plaza and maintain two theaters with significant renovations to all floors of the Duke Energy Theater facility, as well as it would share space with New Main Library and provide new entrances, relocate ticketing, concessions, and restrooms for theaters. He said it would add rehearsal & meeting space in the black box theater building, with theater HVAC integrated with Main Library, and would provide a new theater exits at pedestrian connection.

He said Option B was very similar to Option A, but it removed all Spirit Square functions, except McGlohon Theater and the additional removal of the Duke Theater would take away support and circulation that was need for McGlohon Theater. He said the estimated cost of construction for Option B is about \$25.8 million, including upgrades to the McGlohon Theater, with a soft cost coming in at \$6.4 million, for a total estimated project cost of \$32.2 million. He said this was the least expensive option of the three; however, they would lose the black box theater entirely, which could create a very serious challenge. He said Option B would provide a limited new addition for McGlohon support spaces to replace key functions demolished including: stairs and an elevator for access and exiting; storage and support spaces; would share space with New Main Library, would provide new entrances, relocates ticketing, concessions, and restrooms for McGlohon, and it would provide new theater exits at the pedestrian connection.

## **Meeting Minutes**

### **June 2, 2020**

He said the demolition for Option C was the same as Option B, with everything removed except the McGlohon Theater. He said because this option added the newest space of all of the options, it was also the most expensive, with the estimated construction cost being \$38 million, including the theater upgrades from McGlohon. He said soft costs came in at \$9.5 million for a total estimated project cost of \$47.5 million. He said Option C would provide a new addition with larger black box theater and would replace all theater support spaces demolished and would provide enhancements including: rehearsal space, offices, storage, dressing rooms, would create a new opportunity for outdoor performances with a stage opening to the mid-block public plaza, and would share space with new Main Library. He said the County would have two new regional recreation centers opening on the east and north side of the County over the next couple of years, and those would provide some very significant opportunities for new meeting spaces as well.

He said having compared the total cost of all three options, you would notice that Options B and C were the lowest and highest cost options. He said we believed that Option B was not feasible due to the loss of the black box theater; we thought Option C may not be worth the high cost of replacing a theater that exists and can be renovated. He said Option A provided optimal space for public plazas and redevelopment, retained both theaters and provided the opportunity to connect the main library and theaters.

Mr. Hahn responded to comments and questions from Commissioners.

The Board was presented with three options, and Chair Dunlap took a roll call vote to determine the preferred option.

The results of the vote are recorded below:

**OPTION A:** Commissioners Cotham, Fuller, Jerrell, Leake, and Scarborough

**OPTION C:** Commissioners Dunlap, Harden, Powell, and Rodriguez-McDowell

Option A received the majority of votes and was selected for implementation.

The presentation is on file with the Clerk to the Board.

### **20-6206: 7th & Tryon Redevelopment Project - Memorandum of Understanding**

Mark Hahn, AIA, Director of Asset and Facility Management, provided a presentation on the 7th & Tryon Redevelopment Project and Memorandum of Understanding. He went over the requested action. He mentioned the developer was not involved in the construction of offsite units. He briefly reviewed the redevelopment site and property ownership. He reviewed funding availability for affordable housing, stating that the County would have \$7.4 million sale proceeds to invest; Bank of America would have \$8.3 million, and \$3.0 million in proceeds from development team, totaling \$18.7 million in affordable housing funds available to be invested in various options, with a \$14.5 million County allocation and \$4.2 million from Bank of America reserved for offsite. He said there were



## Meeting Minutes June 2, 2020

four options for investing funding in affordable housing, with Option 1 being a blended solution, which includes both Uptown and off-site housing units. He said it assumed all of the County's allocatable amount of \$14.5 million if invested in the Uptown 7th and Tryon Development. He said it produces 36 affordable units, with a full range of AMI's and unit sizes with a 20-year affordable term. He said the option was including Bank of America's \$4.2 million allocation for 207 affordable units constructed off site at various locations around the County, totaling 243 units.

He said the second option would be to allocate \$6 million of the \$14.5 million available in Inlivan for 110 units they would develop on their own site, which would leave \$8.5 million available to allocate for the 7th and Tryon site for 20 affordable units, and \$4.2 million remains allocated off site for the 207 units, bringing the total number of affordable units to 337 units. He said the third option would be a \$6 million allocation to Inlivan and allocated the remaining \$8.5 million offsite instead of uptown, with the \$4.2 million Bank of America allocation, the total number of affordable units would be 691. He said Option 4 allocates the full \$14.5 million off site when combined with the \$4.2 million Bank of America investment, a total of 762 affordable units in that option.

He said upon execution of the master development agreement, Metropolitan would deposit \$500,000 into an escrow account under the agreement. He stated Metropolitan acknowledged the County is required to give users of Spirit Square at least 12 months prior to notice of demolition. He went over the Memorandum of Understanding key terms for the planned project components which included: below ground and above grade parking structures; approximately 160,000 SF mixed use building; office tower of approximately 450,000 SF of Class A office space; multi-family component; retail facilities. He went over the Memorandum of Understanding key terms for the development agreement, which included: estimated timeline to commence construction for project components; designate spatial relationship between the components; afford buyer flexibility of design, schedule, and performance; and requires MWSBE participation goal of 30%. He went over the Memorandum of Understanding key terms for additional public sector support, which included: the City and County Tax Increment Grant (TIG): not less than \$25 million for below grade and above ground parking the City of Charlotte Community Investment Plan: \$2 Million to \$5 Million. He said the MOU also includes a clause that gave Metropolitan the right to redevelop the site for 180-day period after execution of the MOU, and if any stakeholder would violate this obligation, it could result in a reimbursement to the developer of up to a cap of \$4.1 million. He said next steps would be the negotiation of the actual development agreement, then once the agreement was finalized, the Board would consider approval of the agreement and authorization for the County Manager to execute the development agreement.

Dena Diorio, County Manager, said at the point that INIVIAN was prepared to come forward, we could have decided whether or not we wanted to support their project at a later date, but that at this point, the recommendation would be to allocate the \$14.5 million that we have as a part of the proceeds of the project, and if we did not want to allocate additional dollars for additional units, we could certainly do that. He said they would need to go back to look at the financing and how it would be achieved.

**Meeting Minutes**  
**June 2, 2020**

Four options were presented for consideration; Chair Dunlap took a roll call vote to determine the preferred option.

The results of the vote are recorded below:

**OPTION 2:** Commissioners Fuller and Powell

**OPTION 3:** Commissioners Cotham, Dunlap, Harden, Jerrell, Leake, Rodriguez-McDowell and Scarborough

The Commissioners voted to select Option 3.

Option 3 included the following components for affordable housing: \$6 Million of County allocable funds for 110 affordable units on the Inlivan property; \$8.5 Million of County allocable funds for 374 affordable units at offsite locations; and \$4.2 Million of Bank of America funds for 207 affordable units at offsite locations, for a total investment of \$18.7 Million for 691 affordable units.

A motion was made by Commissioner Fuller and seconded by Commissioner Rodriguez-McDowell to authorize the County Manager to negotiate and execute (in coordination with other landowners involved in the project) an MOU for the 7th & Tryon Redevelopment project with the Master Developer, BP-Metropolitan NC, LLC to also include a provision to coordinate with Inlivan, on their 8th and Tryon Project, similar to the coordination provision listed in paragraph 9 of the MOU.

The motion carried by the following vote:

**Yes:** Commissioners Dunlap, Fuller, Scarborough, Leake, Jerrell, Harden, and Rodriguez-McDowell

**No:** Commissioners Cotham and Powell

The presentation is on file with the Clerk to the Board.

**20-6172: Interlocal Agreement with the City of Charlotte - Ballantyne Redevelopment**

Peter Zeiler, Director, Office of Economic Development and Ned Curran, Northwood Development LLC provided presentations regarding the proposed Interlocal Agreement with the City of Charlotte and Ballantyne Redevelopment.

Mr. Zeiler said this project was first presented to the Economic Development Committee on March 4, 2020. He said the Economic Development Grants function similar to Business Investment Grant. The developer would assume all financial risk if development would not be completed. He said the County had entered into seven agreements: one

## Meeting Minutes June 2, 2020

fully paid, four currently receiving payments, one under construction, and one expired and unconstructed.

He reviewed the current Ballantyne Infrastructure agreement, stating that the improvement cost capped at \$11 million, actual cost \$16 million; this was a 15-year, 45% grant, capped at \$7,150,000, plus interest of 3.7%. He noted that in year eight, FY2021, the County payment was \$1,011,964 and City payment was \$571,024, with a total amount of \$1,582,988. He said the County would retain an estimated \$4,327,765 in collected taxes. He went over the Ballantyne development since 2011 rezoning. He said seven new office towers had been constructed, and a new YMCA would have been a result of the community-infrastructure capacity. He showed some of the major companies that would move into the new offices; two were fortune 500s. He went over the Ballantyne Redevelopment proposal stating that in February 2017, Bissel Cos sold Ballantyne Corporate Park to Northwood Development LLC. He said Summer 2017, Northwood Development LLC began a comprehensive planning and development review process, and in May 2020, Northwood Development LLC sought to reposition Ballantyne.

He reviewed the Ballantyne Redevelopment proposal stating that in February 2017, Bissel Cos sold Ballantyne Corporate Park to Northwood Development LLC. He said Summer 2017, Northwood Development LLC began a comprehensive planning and development review process, and in May 2020, Northwood Development LLC sought to reposition Ballantyne.

He reviewed the affordable housing obligations, stating two acres of developable land per phase were to be donated for the development of 260 affordable units. He said for Phase 1, there would be up to 130 units affordable, with 20% of the units between 50%-60% AMI, 30% between 60%-70% AMI, and 50% between 70%-80% AMI. He said Phase 2 there would be up to 130 units affordable, with 20% of the units between 50%-60% AMI, 30% between 60%-70%, and 50% of units between 70%-80%. He said this project requires significant amounts of upfront dollars. He said the total for this infrastructure cost is \$106 million. He said of that, the developer will fund \$64 million, and they requested \$42 million in public funding; \$17 million will come from the City Capital Improvement Plan (CIP) - Infrastructure. He said the remaining \$25 million would come from the City/County Development Agreement. He went over the Estimated Development Agreement payment schedule, which had an interest rate of 3.7%. He said the expected pay off would be in nine years, and the estimated grant payment at the end of the nine years would be \$18 million. He said the project, at its peak of construction in 2024, would estimate to induce 1,734 jobs. He said the estimated tax revenue by year 15 would be \$9,596,600, and the estimated cumulative new revenue by year 15 would be \$79,588,780. He said on May 4, 2020, the City of Charlotte's Zoning Committee voted 5-2; May 11, 2020, the project was presented, and June 8, 2020 Council will vote on \$17.5 million CIP and \$25 million TIG interlocal agreement.

Ned Curran, Northwood Development, LLC said Ballantyne was 25 years old, and the ambitious plan of Ballantyne reimagines and revitalizes it with a new sense of urban feeling and mixed use with affordable housing, schools, arts and culture, parks and

## **Meeting Minutes**

### **June 2, 2020**

greenways, traffic mitigation, and multimodal transportation. He said it was important that it embraces the values that they hold dear as key elements of what a community should be. He said it was important that it embraces the values that they hold dear as key elements of what a community should be.

Commissioner Jerrell thanked the team. He said he thought it was a sweet spot starting at the 50% affordable housing. He said one concern he had was that the MWSBE goal of eight percent seemed really light to him. He said he would like to know how they could move that number and make it double at least.

Mr. Curran responded that in the aggregate, it was a 20% in comparison to other projects, and that each project was unique and related to the projects that were involved. He said they worked very closely with Charlotte Business INClusion group for months. He said there were elements in this that were challenging because they had specialty bridges, which required specialists, and working with the CBI there just were not trades there. He said they worked very hard hand and hand to identify those goals.

Commissioner Rodriguez-McDowell said they had really stepped up and answered the criticisms and desires. She said at the beginning you all were at 80% AMI for affordable housing and that they had turned the project into something she was proud to support. She said this project did not have County land and hoped it would become a model for how other developers would do affordable housing and that having gotten those kinds of percentages in there is what is needed as a community. She said she fully supported it.

Commissioner Cotham said she was impressed with the project. She said she knew it would create a lot of revenue for Mecklenburg County and that it could be used for schools and other services, which would benefit long term. She said she only hopes that increased transportation out there would be part of this.

Mr. Curran responded virtually every mode of transportation is encourage and addressed in the 500 acres, because we clearly wanted to get one person out of the [inaudible]. He said they knew they would have express bus service in addition to the regular CATs service. He said Northwood was committing the entire right-of-way necessary for light rail someday to come down I-485. He said they would also convert some of the cart paths into bike or walking paths or trails. He said they thought about eventually autonomous vehicles which would shuttle people through the park.

Commissioner Fuller said one thing that was important was collaboration between public and private sectors. He said he would support the project and thought there was a lot to like. He said he thought they would each benefit from the \$1.5 billion that would be generated here. He said there were two things he was not crazy about, one being that while the affordable housing was there, he wasn't crazy that it was on a different piece of property, making it able to be identified as the affordable housing buildings. He said he thought they would need to look through that, because while they are trying to do equity work, they didn't want to be creating inequity in the course of building the project. He said the other thing was the MWSBE, as he felt the number was low; he encouraged him to

## **Meeting Minutes**

### **June 2, 2020**

continue to find ways to get the number higher.

Commissioner Powell said slide two mentioned the community priority on schools; she said that would have a significant impact on already overcrowded schools. She asked what he was doing to help with this.

Mr. Curran responded he said he thought the school metric that was used looked at the units that we would have and the children it would produce and how that correlates into the schools and the degree of overcrowding in schools. He said they knew that in the southern portion of our County that there were overcrowded schools. He said it was master planned to accommodate schools in locations where traffic distributions and safety of students was at its peak. He said the apartments would appeal to young individuals then more to the older, so the school-age distribution is a little bit different than the normal calculations that single-family residential would be. He said part of the metric also was what is the contribution. He said this portion of 500 acres had generated \$100 million in direct and indirect taxes to the County and not produced a school age child.

Commissioner Powell said she loved the focus on connectivity and greenspace and hoped she would commit to native landscaping.

Commissioner Leake asked if training and education had been a part of his consideration to prepare the community for the jobs that would be there.

Mr. Curran responded yes, we were working with local institutions and high schools in the areas. Northwood itself had about 600 employees with Northwood office and our hospitality function. He said most of their employees were service sector employees, and they worked with them in training programs, and we are very pleased that most of them are with us for a very long time. He said they work with the public transportation systems to ensure those who do not live close by have transportation.

Commissioner Dunlap thanked them for working with the County. He said he was concerned about the MWSBE goal with five percent but that they came in tonight with an eight percent commitment and that he had to acknowledge that it would take some special companies to do that kind of work and it would be more of a challenge. He said he looks forward to them taking the vote.

Commissioner Rodriguez-McDowell said she was appreciative of the access, which she thinks is the best part of the project that it opens the area to more people. She thought when they get to the place of mixtures of people living together that it would help to desegregate the schools. She said she knows there will be an impact on schools and thanked them for looking at resources on that. She said the tax revenue would help with the schools and that was the number one issue her constituents talk about.

Commissioner Powell said there would be a lot to be excited about, but she is still concerned about how elected leaders make decisions because of the tax base without thinking of the impact, especially on the schools.

## **Meeting Minutes**

### **June 2, 2020**

A motion was made by Commissioner Fuller, seconded by Commissioner Leake, and carried unanimously to (A) adopt a Resolution approving an Interlocal Agreement with the City of Charlotte for the reimbursement of public improvements to be constructed by a private developer in support of new economic development opportunities by committing 45% of the incremental ad valorem taxes created by the project for a period of fifteen years and (B) authorize the County Manager to execute a contract for the same, with any necessary or helpful nonmaterial changes.

The presentations are on file with the Clerk to the Board.

Resolution is recorded in full in Ordinance Book 49, Document #1.

### **20-6191: Fiscal Year 2020-2021 Budget Ordinance Adoption**

A motion was made by Commissioner Leake and seconded by Commissioner Jerrell to adopt the Fiscal Year 2020-2021 Mecklenburg County Budget Ordinance and request the Charlotte-Mecklenburg Board of Education to develop and present a meaningful plan of work by December 2020 designed to achieve the following benchmarks for its students: (1) College and career readiness/academic achievement disparity between white students and students of color to be no greater than 10% by 2024, using test scores from 2018 as a base year and (2) The annual numeration of how many students who graduate and move on to meaningful employment or higher education using 2018 as a base year.

Commissioner Jerrell said the ability to be specific was extremely important and ability for us to be serious about our intention to close our achievement gap of our black and brown students was important. He said it was also important for CMS to come to us with data showing the needle is moving, and right now, the only moving was into spaces they did not want them, into poverty, jails and other places, and they needed to move them out. Commissioner Rodriguez-McDowell asked what the terms were.

Chair Dunlap responded that when looking at the CMS website it said that every student graduates with a meaningful employment or higher education opportunities, but there was no way to track whether or not that ever happens. He said historically, CMS had always had measurable goals but that you would not know that now. She said Commissioner Leake wants to get back to measurable goals to achieve.

Commissioner Rodriguez-McDowell asked there would be no holding back money at this point?

Chair Dunlap said no, not for the purpose that she is intending.

Commissioner Cotham congratulated Commissioner Leake for her leadership and advocating for the children.

Commissioner Fuller thanked Commissioner Leake for starting the process. He said

## **Meeting Minutes**

### **June 2, 2020**

people were looking at for transparency and accountability for their kids. He said they needed the needle to be moved. She said in December they would have a plan on how to move the needle for particularly black and brown children forward and then we can talk about the resources we need to achieve the goals. She said all she was asking was for the children to be able to read, write, and do arithmetic.

Commissioner Leake said they talked about racial disparities, and they have been in front of us every day on television. She said they talk about affordable housing, but if they could not read or write, they could not get a job to even buy housing. She said there was no accountability and schools in her district for 15 years were still failing.

Chair Dunlap said he was looking forward to this plan to see if we were progressing or not.

Commissioner Jerrell wanted to point out that in District 4 the data points out that 65% of the black kids from kindergarten to 5th grade were at level one and two out of five. He said another school with another 65% level one and two. He said this was to show a sense of urgency, and the trend was the same all across the County when it comes to black students.

Commissioner Harden said part of her wanted to give CMS flexibility to come back with more rigorous goals. She asked if it was the right thing for the Board to pick the goals or for CMS to come back and present their goals.

Commissioner Leake said the educators should be educating the kids, so come up with a plan that is measurable.

Commissioner Rodriguez-McDowell said she believed the work that CMS was doing was some of the most important work, and she thought they already had a plan and were trying to implement a plan that they had been working on and bring it forward. She said she believed that was their area of expertise and also believed they had been perpetually underfunded by the State. She said she felt it was time to let the commissioners with schools, with lower scores than her districts, to take the lead.

Commissioner Fuller said he was fairly sure when the Board of Education responds they would take the initiative to address other issues or be more rigorous if they had the capacity to do so.

Commissioner Scarborough said they needed another joint meeting with CMS.

Commissioner Powell said the Board wanted literacy for everyone in CMS and hoped they can work with the Board of Education going forward.

## **Meeting Minutes**

### **June 2, 2020**

The motion carried by the following vote:

**YES:** Commissioners Cotham, Dunlap, Fuller, Harden, Jerrell, Leake, Rodriguez-McDowell, and Scarborough

**NO:** Commissioner Powell

*Note: Approval of the Budget Ordinance will adopt a balanced operating budget of expenditures and revenues for the period of July 1, 2020 through June 30, 2021 as required by the Local Government Budget and Fiscal Control Act. The Budget Ordinance results in a total budget of \$1.9 billion and a property tax rate of 61.69 cents. It reflects the tax rate for the following Law Enforcement Service Districts: Charlotte = 17.81 cents; Cornelius= 22.90 cents; Davidson = 14.32 cents; Huntersville = 15.84 cents; Mint Hill = 15.58 cents; and Pineville at 16.37 cents. Also, the following reflects the tax rates for the fire service districts for the following Extra Territorial Jurisdictions (ETJs): Charlotte = 7.50 cents; Cornelius = 6.12 cents; Davidson = 8.90 cents; Huntersville = 4.56 cents; and, Mint Hill = 7.00 cents.*

Resolution recorded in full in Ordinance Book 49, Document #2.

### **20-6190: ITEM REMOVED: Capital Project Ordinances**

This item was removed from the agenda and will be brought back for Board consideration on June 16, 2020.

### **20-6177: COVID-19 Response Update**

Gibbie Harris, Public Health Director, provided an update on the COVID-19 cases and response in Mecklenburg County. Ms. Harris said there had been 4354 cases of covid-19 in Mecklenburg county, which was an addition of 204 cases today. She said they were seeing significant increase daily in the number of positive cases. She said there had been 97 deaths and were currently 17 long-term care facilities in outbreak status. She said what that represented was a number that had come out of outbreak status and a number that had come in. She understood the concerns about the isolation that people are feeling in the facilities but wanted to reinforce the fact that the virus was very dangerous in the facilities and that they were doing everything they could to manage those situations when they arose. She said they had worked with the State and local emergency preparation to ensure they had the PPE they had needed. She said staff had been pushing the needs forward to make sure they are addressed. She said one of the issues they had continued to have was gowns and that was for everyone, not just long-term care facilities. She said they had still been doing significant testing working with these facilities with both residents and staff who are in outbreak status.

She said they had recently gotten CDC guidance to be able to pickup the testing even quicker. She said MEDIC and the regional healthcare entity had been making visits to some of the facilities who were having the biggest issues to make recommendations. She



## **Meeting Minutes**

### **June 2, 2020**

said staffing had been an issue in long-term care facilities with cross contamination. She said they were continuing to work on those things. She said increased testing had been seen, and CVS opened sites for testing as well. She said case investigation had new software implemented to help with contact tracing. She said they had added 170 staff for contact tracing and case investigation. She said the trends were going up with the percent positive increase being up 9% or 10% over the past 14 days, which is a fairly significant increase for us. She said the hospitals had been seeing an increase in COVID-19 cases as well, but the hospitals are still in good shape and have capacity. She said they had also been seeing continuing decreases in social distancing in the community.

Commissioner Fuller read his proposed resolution for implementing the COVID-19 Recovery and Renewal Task Force.

A motion was made by Commissioner Fuller, seconded by Commissioner Leake to adopt a Resolution to form the Mecklenburg County COVID-19 Recovery and Renewal Task Force.

Commissioner Jerrell asked what the impact reopening was having. She asked if Mecklenburg County should be in discussion around altering or looking at the plan differently than the way it was being executed through the state based on our population. Ms. Harris said she was not sure that they were far enough through Phase 2 to fully understand the impact that it would have and that unfortunately the events over the last couple of days and lack of social distancing had a potential of having impact. She thought the issue was not so much about having to implement the governor's plan but how people were reacting to the opening up. She said they were at a position of watching the data right now.

Commissioner Jerrell asked what conversations were happening to make sure they were not being reactive instead of proactive.

Ms. Harris said she said they were trying to figure out how best to approach the situation and figure out how best to address those issues. She said those conversations were happening.

Commissioner Harden said it looked like they were on an upswing of hospitalizations. She asked if it was true.

Ms. Harris responded yes.

Commissioner Harden asked if they could require that masks be worn in the community, given the protests that were going on.

Ms. Harris responded that right now they were in the position to abide by the governor's recommendations in the plan and re emphasized wearing masks, not requiring.

Dena Diorio, County Manager, said there had been many conversations about that and it

## **Meeting Minutes**

### **June 2, 2020**

created a lot of problems for law enforcement in enforcing it. She said it is all about encouraging people and marketing what they need to be doing.

Commissioner Rodriguez-McDowell said she would like to know if the increase in positives were still coming from the Hispanic community.

Ms. Harris responded that the increases were across the board and not one specific population contributing.

Commissioner Rodriguez-McDowell asked what Commissioner Fuller's intention was as far as the commissioners' role in that.

Commissioner Fuller responded that he thought about it and their entire board will appoint the members; he said maybe they would nominate their selves and a City Council person but that it was for future discussion on how to populate the task force.

Commissioner Rodriguez-McDowell asked when that conversation would happen.

Commissioner Fuller responded he thought it was important to get the structure first. He said it would not be a long time.

Commissioner Fuller asked Ms. Harris if they should be worried about the increased positive cases, decreased social distancing, and increased hospitalizations.

Ms. Harris responded that they should be cautious about this since none of us have immunity. She said the question was if we would be able to manage the level of infection in the community. She said they should be watching the numbers but that at that point she was not sure they needed to be reacting or even proactively looking at significant changes.

Commissioner Fuller said his suspicion was that they would see more cases getting back to where they started. He asked if he was seeing that wrong.

Ms. Harris responded not necessarily and that she was glad the Governor gave five weeks for Phase 2, as it would give more time to assess the impact of reopening.

Commissioner Powell said it sounded as though they may be in Phase 2 longer than we thought, and youth athletic leagues are in an uproar about not being able to reserve fields. She asked if they could apply for a waiver with a plan for safety in Phase 2.

Ms. Harris responded that she knew some businesses had applied for waivers through the State, and some had been accepted and some had not. She said they were always considered, and whether they were implemented or not depended upon our best decisions on how much people would be exposed by the activity. She said youth activities that are not contact sport, and those were laminated in number, could be participated in. She said the challenge was Park and Rec was not reserving those fields.

## **Meeting Minutes**

### **June 2, 2020**

Commissioner Powell said she did get a response from Director of Park and Rec and had to represent my constituents and make sure if they had a safety plan that they were considered and lead them to how they could apply for a waiver. She asked if Ms. Diorio still had concerns on the short time frame of the resolution.

Ms. Diorio responded that it depended on what she wanted the task force to do; she said there were concerns of being able to spend the money by December 30, 2020. She said she would need to get with Commissioner Fuller to work through that. She asked if this was something a person would go through the traditional advisory board and apply or if they would be nominated by the Board.

Commissioner Leake asked what they would like for the Health and Human Services Committee to do and that that was why they had committees, to be helpers in the process for the community.

Ms. Harris responded that they had been communicating with the full Board weekly and she knew the committee had not been able to meet, because everything that was going on.

Ms. Diorio said the committee hasn't been meeting and if the committee wanted to meet, they could schedule a meeting of the Health and Service Committee. She said she is happy to do that to share whatever information she wanted to put together in an agenda they would share.

Chair Dunlap asked how long it would take for the cases to show up at testing sites if they caught it in the past few days

Ms. Harris responded about 14 days.

Chair Dunlap recommended a campaign or social media campaign on masks. Requested that Commissioner Fuller meets with Ms. Diorio to get the Task Force started. He recommended a total of 18 people at large and for each commissioner recommend one person.

Commissioner Fuller responded saying he would expect it to be like our other advisory committees with respect to nominations and to be managed by the Clerk. He said the Task Force was not to decide how to spend the CARES act money, as the Board would make those decisions. He said he did not believe they needed to wait for the Task Force in order to decide what to do with the CARES act money.

Chair Dunlap requested for the Manager bring back recommendations.

Commissioner Harden asked if that was related to the CARES Act spending.  
Chair Dunlap responded yes.

Commissioner Harden said she appreciated the City's process. She said she hoped for

**Meeting Minutes**  
**June 2, 2020**

the commissioners to be involved in the funding.

Commissioner Powell said it was really important to have voices from the towns to be included

A vote was taken on the motion and carried unanimously.

Resolution recorded in full in Minutes/Ordinance Book 49, Document #3.

**DEPARTMENTAL DIRECTORS' MONTHLY REPORTS – NONE**

**STAFF REPORTS & REQUESTS – NONE**

**COUNTY COMMISSIONERS REPORTS & REQUESTS – NONE**

**CONSENT ITEMS**

Chair Dunlap took a roll call vote to approve the Consent items that were not pulled from the agenda. The vote was recorded as unanimous to approve the following Consent items:

**20-6140: Minutes**

Approve the following Meeting Minutes: March 4, 2020 Closed Sessions; March 10, 2020 Budget/ Public Policy Meeting; March 11, 2020 Special Meeting; March 17, 2020 Closed Session; March 17, 2020 Regular Meeting; April 7, 2020 Regular Meeting; April 22, 2020 Regular Meeting; May 5, 2020 Regular Meeting; and May 12, 2020 Closed Sessions.

**20-6156: Budget Amendment - DSS (Revenue Increase)**

Recognize, receive, and appropriate \$506,103 from the Families First Coronavirus Response Act to the General Grant Fund (G001) within the Department of Social Services for the duration of the funding period.

*Note: Mecklenburg County has been allocated Families First Coronavirus Response Act nutrition funds in the amount of \$506,103 to support meal services to vulnerable seniors during this unprecedented time. This funding will pay for meal services not only to homebound seniors but also for meal delivery to congregate seniors who need nutrition support when nutrition sites are closed. To date, there are 1101 homebound seniors and 574 congregate program seniors receiving home-delivered meals. It is anticipated that this number will increase in the coming months as more older adults in the community face hardship and require nutrition support. These funds will support this effort and must*

**Meeting Minutes**  
**June 2, 2020**

*be spent by September 30, 2021.*

**20-6159: Budget Amendment - DSS (Revenue Increase)**

(A) Amend the 2019-2020 Annual Budget Ordinance to recognize, receive, and appropriate an increase in Federal IV-E Revenue of \$885,750 in the General Fund (0001) within the Department of Social Services and (B) amend the 2019-2020 Annual Budget Ordinance to recognize, receive and appropriate an increase of \$2,321 in State funds from the NC Department of Health and Human Services, Division of Aging and Adult Services (DAAS) for the Project Care Grant in General Fund (0001) within the Department of Social Services.

**20-6173: Tax Refunds**

(A) Approve refunds in the amount of \$5,273.50 for registered motor vehicles as statutorily required to be paid as requested by the County Assessor and (B) approve refunds in the amount of \$185,888.58 as statutorily required to be paid as requested by the County Assessor.

*Note: This Board action was necessary to approve registered motor vehicle refunds resulting from clerical errors, value changes and appeals processed in the new statewide vehicle tax system.*

A list of taxpayer recipients was on file with the Clerk to the Board.

**THIS CONCLUDED ITEMS APPROVED BY CONSENT.**

**20-6132: Grant Application - Bureau of Justice Assistance (BJA) Bulletproof Vest Program (Sheriff's Office)**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried unanimously to (A) approve submission of a grant application to the Bureau of Justice Assistance - Bulletproof Vest Program - for reimbursement of the purchase cost of bulletproof vests up to 50% of cost or \$30,923. (B) if awarded, recognize, receive and appropriate the amount awarded to the General Grants Fund (G001) within the Sheriff's Office for the duration of the grant.

**20-6147: Budget Amendment - Sheriff's Office - Revenue Increase**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried unanimously to (A) amend the 2019-2020 budget ordinance to recognize, receive and appropriate an increase of \$205,000 from the North Carolina Department of Public Safety (DPS) to the General Fund (0001) within the Sheriff's Office, (B) amend the 2019-2020 budget ordinance to recognize, receive and appropriate an increase of \$125,000 in

## **Meeting Minutes**

### **June 2, 2020**

federal revenue to the General Fund (0001) within the Sheriff's Office and (C) approve a carry-forward and appropriation to FY 2021 of \$125,000 to purchase a Mail Screener.

*Note: (A) Overtime expenditures within the Sheriff's Office have increased significantly the last quarter with much of the increase associated with Juvenile Detention Officer training certification being conducted by DPS. The State did not agree to a two-week Detention Officer Certification Course that was proposed because of duplication in course content in lieu of their four-week course. As a result, we have expended a significant amount of money for overtime for thirty staff to attend three different training sessions from January to April. DPS has agreed to supplement the additional overtime with a reimbursement up to \$285,000. (B) The Sheriff's Office requested a Mail Screener to inspect mail to prevent contraband/drugs from being introduced into the Detention Facility. Because of budget constraints, the Mail Screener was not recommended for funding as part of the Manager's FY21 recommended budget. The Sheriff's Office is requesting the appropriation of \$125,000 in federal revenue to purchase the Mail Screener in the current year. Based on current projections, we conservatively project a \$1.0 million increase in federal revenue over the FY20 budget. (C) Due to purchasing requirements and guidelines for FY 2020 equipment purchases over \$100,000, there is not enough time to ensure that the purchase of the Mail Screener can be finalized in the current fiscal year.*

#### **20-6154: Set a Public Hearing for Closing the Right-of-Way for Mallaranny Road**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried unanimously to (A) set a public hearing for July 7, 2020 to hear all interested parties who appear with respect to closing all of the right-of-way for Mallaranny Road. (B) adopt resolution declaring intent to close right-of-way for Mallaranny Road.

Resolution recorded in full in Ordinance Book 49, Document #4.

#### **20-6155: Budget Amendment - Community Support Services**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried unanimously to recognize, receive and appropriate \$45,000 for user fees in General Grants Fund (G001) within Community Support Services Department that will be used in conjunction with HUD (Housing and Urban Development) funding for the administration of the Homeless Management Information System (HMIS).

*Note: The user fees are costs to homeless/housing service agencies for Homeless Management Information System (HMIS) licenses. Each agency is billed based on the cost per license/per user. The user fees in the amount of \$45,000 will be collected from partner agencies to fund the administration of the HMIS system. User fees will be budgeted in the multi-year grant unit with HUD funds.*

**Meeting Minutes**  
**June 2, 2020**

**20-6160: Grant Positions - Criminal Justice Services**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried unanimously to authorize two grant funded full-time positions, resourcing existing MacArthur Foundation grant funds in the Criminal Justice Services Department.

*Note: Criminal Justice Services is requesting authorization of two additional positions to be funded via this grant. The Criminal Justice Case Manager will report to and support the Pretrial team. The MH Licensed Clinician will report and support the Forensic Evaluation Unit. Both positions will assist with improving the success rates of defendants referred to supervision who are high-risk/high need. The licensed clinician and case manager will provide more clinically focused supervision to better meet the needs of clients to reduce their risk of failure and jail readmission while on Pretrial Supervision. These positions will continue the work of the Safety and Justice Challenge by enhancing the existing services offered by our Pretrial Services staff to better address the needs of clients who are at an increased risk of failure and expanding the use of evidence-based supervision practices to create holistic and supportive case management services. By hiring a licensed mental health clinician and case manager to create a more streamlined engagement and supervision process for high risk, high need defendants released to Pretrial Supervision, defendants will receive tailored services to address underlying issues related to their failure risk, including immediate housing, transportation for court hearings, medication, and referrals to address behavioral health issues. This new supervision team will create an opportunity for a fluid continuum of supervision services for clients as needed, such that they may be served by both the enhanced unit and the core unit, as necessary to support their success. To better address and reduce the risk of failure among defendants in the core supervision unit, training on evidence-based case management practices and implementation of procedurally just practices will be implemented under this application, as well.*

**20-6161: FY21 Proposed Funding Allocation Plan - Juvenile Crime Prevention Council (CJS)**

Motion was made by Commissioner Leake, seconded by Commissioner Fuller and carried unanimously to (A) recognize, receive and appropriate FY21 Department of Public Safety-Division of Juvenile Justice Funds in the amount of \$2,051,713 for the Department of Criminal Justice Services to the General Grants Fund (G001) for the duration of the grant and (B) approve FY21 Funding allocation plan as recommended by the Mecklenburg County Juvenile Crime Prevention Council in the amount of \$2,051,713.

*Note: The JCPC is charged with reviewing the needs of juveniles within the community who are delinquent or at-risk of becoming court-involved, assessing local services needs and presenting an annual service proposal to the BOCC. The JCPC would like to allocate funds to programs that meet the needs of juveniles in our community.*

**Meeting Minutes**  
**June 2, 2020**

**20-6162: Budget Amendment - Health Department (Revenue Increase/Decrease)**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried unanimously to (A) amend the 2019-2020 Annual Budget Ordinance to approve a decrease of \$21,513 state revenue to the General Fund (0001) for Food and Lodging within the Health Department, (B) amend the 2019-2020 Annual Budget Ordinance to approve an increase of \$17,000 federal revenue to the General Fund (0001) for Community Linkages to Care of Overdose Prevention and Response within the Health Department and (C) recognize, receive, and appropriate \$314,879 of federal revenue from the Coronavirus Aid, Relief and Economic Security Act (CARES) to the General Grant Fund (G001) within the Health Department for the Ryan White program.

*Note: (A) The North Carolina Division of Public Health (DPH) awards state funds to the Health Department programs. The Health Department received notification of decreased funding of \$21,513 for the Food and Lodging program. The funding allows Environmental Health program to implement state-mandated sanitation regulations. (B) The North Carolina Division of Public Health (DPH) awards Federal funds to the Health Department to support some public health programs. The Health Department received notification of increased funding of \$17,000 for the Community Linkages to Care of Overdose Prevention and Response. The funding enables local health departments to implement the project for community-based programs to prevent fatal and non-fatal opioid overdoses, increase access and linkages to care services for the most vulnerable populations and build local capacity to respond to the overdose crisis in North Carolina.*

**20-6163: Construction Contract - CMGC Renovations**

Motion was made by Commissioner Leake and seconded by Commissioner Fuller to award a construction contract to Place Services, Inc. in the amount of \$3,994,656.

Commissioner Harden directed the Board's attention to the MWSBE utilization for the item. She said at the Economic Development Committee meeting held earlier in the day one of the discussions highlighted how important it is that the Commissioners set a standard and an expectation about MWSBE utilization. She said she wanted to highlight we have a long way to go. She said she wanted to make sure that we recognize that we have to start making higher bars for our projects, especially the ones that we have control over; these are renovations within our own building

Commissioner Fuller said he saw that also and was incredibly disappointed by it, but he thought that we've got to make those expectations real when we are talking about the selection. So, I would encourage the Board to make these decisions earlier to ensure we get vendors earlier that do not come to us with 0% for MWSBE.

Chair Dunlap said in some cases we do have job specific opportunity and there is no minority contractor available, it's the same thing as sole source.



## **Meeting Minutes**

### **June 2, 2020**

A vote was taken on the motion and carried as follows:

**YES:** Commissioners Cotham, Dunlap, Fuller, Jerrell, Leake, and Scarborough

**NO:** Commissioners Harden, Powell, and Rodriguez-McDowell

*Note: This contract is for renovations to the County's occupied floors in the CMGC. Renovations include reconfiguration of workspaces, new finishes, lighting, and Audio-Visual upgrades. The County occupies space on the 11th floor, half of the 4th floor and part of the 2nd floor. Temporary renovations will occur on the 4th floor to provide workspace for occupants currently on the 11th floor during construction on the 11th floor. Once renovations are complete on the 11th floor, the 4th floor will be renovated for the relocation of the Economic Development Office from the CMGC 2nd floor and the Public Information Department from the Valerie C. Woodard Center. The 2nd floor will then be renovated into a conference suite.*

*This project was advertised in the Charlotte Post on April 2, 2020, the Charlotte Observer on April 5, 2020, and the North Carolina Interactive Purchasing System website on April 2, 2020. A pre-bid meeting was held on April 23, 2020. Eleven bids were received and opened on May 7, 2020. Based on the lump sum base bid, plus contingency allowance, and Alternate No. 1 to replace existing ceiling tiles and grid with new, the low bidder is Place Services, Inc. in the amount of \$3,994,656. Anticipated MWSBE Utilization: Prime Contractor: MBE 0%; WBE 0%; SBE 0%; Sub-Contractors: MBE 17%; WBE 4%; SBE 18%.*

#### **20-6165: Health Resources and Services Administration (HRSA) Positions – Ending the HIV Epidemic Grant**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried unanimously to recognize, receive, and appropriate \$850,000 and approve the creation of 3 fulltime positions funded by the Health Resources and Services Administration (HRSA) - Ending the HIV Epidemic grant in the General Grant fund G001.

#### **20-6170: Budget Amendment - Carryforward of Unspent Under Armour Funding**

Motion was made by Commissioner Leake, seconded by Commissioner Powell and carried unanimously to amend the 2020-2021 Annual Budget Ordinance for the General Fund (0001) to allow the carryforward of unspent funds from 2019-2020 Annual Budget Ordinance for Park and Recreation for programming related to the Under Armour Project which remain available at June 30, 2020 up to \$25,000.

#### **20-6175: Grant Application - DSS - Coronavirus Aid, Relief, and Economic Security (CARES) ACT**

Motion was made by Commissioner Leake, seconded by Commissioner Scarborough and carried unanimously to (A) affirm the application to the North Carolina Department of

## **Meeting Minutes**

### **June 2, 2020**

Transportation for the Federal CARES Act Grant for the Mecklenburg County Department of Social Services for Fiscal Year 2020 through 2022 in the General Grant Fund (G001) for up to the amount of \$4,095,288 (B) recognize, receive, and appropriate the amount awarded from the Coronavirus Aid, Relief, and Economic Security Act (CARES) to the General Grants Fund (G001) within the Department of Social Services for the duration of the grant.

*Note: The North Carolina Department of Transportation - Integrated Mobility Division released the Coronavirus Aid, Relief, and Economic Security Act (CARES) application. Funds are available to rural, large, and small urban transportation systems to continue providing services and assist with operating expenses for items including staff, supplies, and other related transportation operating expenses. As a recipient of 5307 funds, Mecklenburg Transportation System (MTS) is eligible to apply for these funds. The term for the grant is from January 20, 2020 to June 20, 2022 and the grant is 100% reimbursable.*

#### **20-6189: Mecklenburg County Solid Waste Fee Ordinance for FY2021**

Motion was made by Commissioner Leake, seconded by Commissioner Powell and carried unanimously to approve revisions to the Mecklenburg County Solid Waste Fee Ordinance.

*Note: Annually, LUESA Solid Waste proposes to change the Mecklenburg County Solid Waste Fee Ordinance by revising certain fees in the Solid Waste Program area to respond to inflation and contract service fees charged to Mecklenburg County. These changes include but are not limited to: 1. continue implementation of the incremental multi-year fee plan developed in FY2017. 2. no increase to the volumetric fees for residential customers who use County Drop-Off Centers; changes will now allow residents to drop up to 5 bags of yard waste at no charge. 3. increasing the fees for non-residential/out of county customers who use County Drop Centers from \$65 to \$75 annually. 4. increase the disposal fee for use of the Speedway Landfill by \$1.10 per ton, pursuant to contractual required increases.*

Ordinance recorded in full in Ordinance Book 49, Document #5.

## **COMMISSIONER REPORTS**

#### **20-6178: Commissioner Reports**

Commissioner Jerrell said he thought everyone's heart was heavy from what they witness and offered his condolences to the Floyd family and was sick that they were back in a space of protesting another tragedy in this country. He said somehow, someday this one had really pricked the way of people not only in the country by around the world and that he was glad about that and forced to face ourselves and talk about the systemic and institutional structures that create barriers that perpetuate racism and inequity. He said

## Meeting Minutes June 2, 2020

he was glad to see so many joining the fight and lifting their voices and had not been just black people but all races and multi-cultural support. He said he appreciates his colleagues for having given him support and allowing him to vent and share his frustrations. He wanted the public to know he was frustrated, hurt, and angry, that he did not condone rioting and looting, but he understood the anger. He said he did not find it productive and that everyone should be constructive and not destructive. He said he also knew that as an elected official he had a tremendous responsibility to be a voice for those people, speaking on their half, and to do everything that he could to level the playing field, setting the conditions that could actually change lives. He said while they had gone through this, they had put together some tremendous budgets that could change lives. He said he had taken a victory lap in many cases and hadn't followed up to make sure those voices he heard on Friday night while walking the street with tear gas around me and the chaos, he realized there was a lot more work to do, and tonight and in the future they are really challenged to make the change they are talking about, which was more than putting a line item down and letting it go. He said they have to listen and be a voice, and that when he thought of George Floyd, he thought of Trayvon Martin, Eric Gardner, Philando Castile, Sandra Bland, and Keith Lamont Scott. He said he thought they had a golden opportunity with this Board to really implement substantive change and challenges them all. He said they would need to get down and get to those who did not have a voice to get into the spaces they operate in on a consistent basis. He said his heart was heavy and challenged them to make those changes.

Commissioner Harden said there was a piece in the Charlotte Observer where many constituents sent a message to their black neighbors. She read, A Message to Our Black Neighbors, "we feel outrage, grief, disgust, and remorse. We stand with you in hurlement and weariness. We are fed up; it is time. We confess our complicity inertia and timidity. We own our responsibility right now. With God's help, we will change ourselves and with you, we will change our institutions and our community." She said tonight, she wanted to speak directly to District 5, her district. She said those words must be accompanied by our deeds. No more business as usual; we live in neighborhoods that were the standard for what redlining looked like. She said when the protest came to Myers Park, it came there, because that was the first redlined neighborhood of our community. She said they must change and that words must be accompanied with deeds. She said that required a two-step process, the first step that they have to tell the truth. She said the second thing was that they had to reconcile their complicity. She said they needed a truth and reconciliation process, where they tell the truth and we reconcile what we have done. She said she felt she had to ask their selves from that point forward what they were changing and make sure they were telling the truth and reconciling their complicity in the process. She said she appreciated Commissioner Jerrell's comments and they had spent a lot of time on the phone in past couple of days. She said she appreciated the Board and budget they had adopted, because she honestly believed it was not business as usual; it identified racial disparities was the number one priority and to put significant dollars behind addressing food deserts and racial health disparities and workforce development, and disparities in parks and rec. She said she is really proud of those investments as they were a step in the right direction. She said continue to listen and they would continue to work hard. She said with God's help, they will change their selves.

## Meeting Minutes June 2, 2020

Commissioner Rodriguez-McDowell said the week had been one of the hardest she had experienced as an elected leader, to have seen so much pain and so many crying out for change. She said she had seen it in every face she looked into and that George Floyd's death was a tragedy and symbol of so much that had gone wrong in the Country and that her colleagues and her recognize that racism was a public crisis in so many ways, and they wanted to take real steps to address it. She said people wanted to make that moment matter and not be in vain. She said the local government budget is their biggest responsibility and where the people had elected them to act on the reforms, they believed in. She said that was where they lived up to their ideals and why they were meant to be there then at that point in time. She said it was clear to hear that they could not go on with business-as-usual thinking, and they must be bold in response to their many issues that plagued them as a community, especially as they had faced a public health crisis, turned economic crisis, turned everything is now a crisis. She said they had to respond to the moment in our history with new ideas and innovative thinking and they must utilize the funds they had to provide the services that shake the future. She said that was their chance and moment to see if they could be bold and aspire to more. She said it was not the time to play it safe, that they could be smart about how they would use the moment to their advantage to shape the future and that was why they were proud of the budget and all they tried to incorporate into it having known racial disparity was their number one priority before the uprisings came along.

She added that she thought with the hourly-paid, CMS workers' issue, it got pulled into the entire budget and did not get talked about. She said she thought it was regrettable how they got there and wished they could have had the conversation that could have been brought up at the last meeting they had with CMS on May 13, 2020, when they reiterated their three-phase proposal at that time. She said she did not think they made an issue of it at that time but that having said that, she said she was in support of the hourly workers getting to \$15 an hour in the budget year. She said she was in support of them not waiting another year and another year based on their declining revenues. She said those were people who deserve a base wage that is the same as the base wage of other government workers in the community. She said was it hard to get there, followed by yes but that it was right. She said it was the reset button and that it was painful to press. She mentioned making a motion for the County to forgo their raises in light of the raises from last year. She said at most, she was in support of targeted raises for the workers who were paid below their peers in the private sector and who were on the frontlines in the COVID-19 response. She said she had also made a motion that Commissioners and executive staff also not received raises and that the motion failed. She said the truth of the matter was that their budgets would be stressed due to the pandemic for quite some time to come but that they could not continue down the path of business as usual, that they must take the lead, set the course, and shape the future with full intention to live up to their ideals. She said she believed without the critical investments in the hourly workers and in the new budget, they would be coasting to the same outcomes they had now and that was not acceptable.

## Meeting Minutes June 2, 2020

Commissioner Cotham said it had been a very difficult week after many difficult weeks of just the pandemic, like we thought it couldn't have gotten worse but then it did. She said to the protesters that she saw them, heard them, mourned with them and wished she could be with them. She said all the protests had brought her back in thought to the 1960's. She said she remembered the urban unrest in the 1960's, probably beginning with 1965 with the riots in Los Angeles. She said in 1968, after Martin Luther King was assassinated, there were four days of riots. She said in Washington, D.C. 1 people died, and Washington D.C. was on fire. She said she had thought about those days, needed support, and listened to the speech of Bobby Kennedy from when he told people in Indianapolis of Martin Luther King being assassinated his remarkable words lifted me. She said they had not been lifted by leaders like that in Washington but that she knew when she watched that again. She mentioned he died 90 days later, as he was assassinated as well. She said she had been touched as she listened to her colleagues speak from the heart. She said the tragic death of George Floyd touched a nerve probably closest to the death of Emmett Till in the mid-1950's. She said he will be remembered along with so many others who had been unjustly killed by racism and asked to remember the children who were going through this without having the historical background, since the children had been watching what is going on from television and will remember this. She asked what they were doing to help them understand, despite there being really no understanding of this. She said they were confused from already missing friends and teachers, then see their parents and relatives glued to the television and see things uptown. She said they had to reach out to them, because they would have so many children who would be experiencing depression or PTSD from all of this if we do not talk to them or help them understand that they would be okay. She said she prays for the Country and City and asks God to help us, as past generations had gotten through difficult problems and they would too.

Commissioner Fuller said he thought about the fact that race and the problem of racism was America's original sin that they had yet to [inaudible] for and that what he was on video, undeniable, the power of the law, taking a life of a black man on the street, who did not wake up that morning believing he would not make it through the day, with his breath having been taken away from power of the law. He said it was heavy because he deals with the law, as it is his profession. He said he thought about when he was out on the street, he would not get the chance to give his resume or say he attended college and law school, had a law degree, practices law in three different states, served as County Commissioner and had served as Chair of the County Commission. He said he would not get to say any of that when on the street stopped by a police officer and he worried about how in just a split second, life could be snuffed out, merely because the color of your skin.

He said he just celebrated a birthday Sunday, and there was a lot of transition in his life now with his daughter going to college, son being in college and that they told him a couple of days ago his son had been stopped in his neighborhood twice and that his heart seized up just having heard that. He said he put that together with what happened to George Floyd, Philando Castillo and said in a split second. He said he believed they had to protest but that it was not enough. He said they had to make a difference and that talking about it was not enough, because they actually had to do the work. He said he

## Meeting Minutes June 2, 2020

was proud of the budget they made current year, because he believed it would make a difference and that the story had not been told of what they put in that budget, not one single news paper article. He said it wasn't seen, because it was not sexy, but that was the kind of work that had to be done, and that they would not get credit for all the things they did, but they had to be satisfied that they were making a difference. He said he must have a sense of hope that things would get better at some point. He said you have to vote in November and end the madness in Washington. He said he prays for the community, his family, the family of others that somehow they could find their ways together to make it a better place. He said America is still a great place and wouldn't live anywhere else in the World, but that there was a lot of work to do, and he hopes they do that.

Commissioner Scarborough said she was delighted to have passed the budget. She said she was definitely where Commissioner Fuller was as things that are going on. She mentioned she was there during the Orangeburg and the Sumpter massacres and was in jail for two and three nights so every time she heard this stuff it brought back memories. She said may God continue to bless the folk who do not understand.

Commissioner Powell said she had provided her comments during the invocation.

Commissioner Leake thanked Dr. Woods and Rev. Boyd for their bravery to come speak before the public about a budget that was needed to make sure black and brown children would get an education. She said she was mad and couldn't help but had been mad from experiences that were had. She said she had thought about her ancestors who were brought there and were not asked to come. She said they were still enslaved, and if someone did not believe it, to keep living. She said as a black woman, you suffer more, as there is a resentment and dislike. She said they work hard for the Democratic Party but that they do not head anything. She said she was upset with all of it as she had lived it before and would keep living it every 10 or 15 years and to hear the same rhetoric over and over of we must change and do better, but when would it come and how would it come? She said when you have a group of people who perceive you are troublemaker, because you speak up for your people, that she was going to keep speaking up for her people and that others would like her or not like her but she would still do the work she was sent there to do. She said out there protesting, yes, they need to protest; jobs are scarce. She said housing was scarce, and non-profit organizations were always headed by white people and her thing was that if you do not have poor people, they do not have a job; that was a fact. She said they had been begging to get food in the desert over the years and still did not have it. She said where they live was still not clean and they were talking about going to a Ballantyne and doing something and you drive through Lincoln Heights, Beatties Ford Road, off of Highway 16, anywhere you drive in the black neighborhood, paper needs picking up, and there were problems in the community that they had yet to settle for and it was about race. She said it was all about the color of your skin.

She said she was sick and tired of being sick and tired of talking about it, because that was all they wanted to do. She said there had to be some degree of accountability and

## Meeting Minutes June 2, 2020

they always wanted to quote Martin Luther King. She said yes, the people killed him, disrespected him when he lived, but every time you turn around it is something about what he had said, but had we helped make it a reality? She said she remembered the riots and Bobby Kennedy was killed in California. She said she remembered when the former president in 1963 was assassinated. She said it is [inaudible] who want to make a difference who never get to live to see it happen. She said they are still a segregated community; the children are segregated, and it was the worst segregation of the schools in the history of this community, and they were still segregated. She said she had some real problem to talk about in venting and that yes, they talk, but the next morning, it would be business as usual. She said she had learned to live with it and that man have said they did not like her, because she talked too much, but she said she had something to talk about. She said she had a story to tell, and she had lived a lonely life when it came to have dealt with people who resent the very fact that you wanted to speak up for your people. She said it was still there, that they wouldn't talk to her, laughed at her, criticized her, laughed at her because she pulled consent items. She said she would continue to pull consent items.

Chair Dunlap said he had his own personal struggled and believed he understood better than a lot of people, of why people were mad and upset. He thanked his colleagues for allowing the privilege to steer the ship, as he had served in government for 24 years and had never been prouder of a budget than he was this year. He thought some things that were put into the budget would create systemic change, the kind they had been talking about. He said the interesting thing about it was that people would not hear about it or see it, because people who were in the position to share, will not share it. He said there was a sweet relief in knowing they made a difference. He said he grieved, not just for George Floyd but for all of those who came before him; he said you never get use to the fact that there is another one. He said the question is what would change and when would it change.

He said in talking to young people, he understood their frustration, that they grew up with a sense of fairness and that was one of their issues is that he expects people to be fair. He said he had learned that when people want what they want, fairness would go out of the window. He said in thinking about how some of the school board members treated them when they wanted to be fair to people who had been left behind for such a long period of time. He said they called out to Calvary in an attempt to pressure them to do what they wanted them to do, when all they needed to do was the hard work. He said a lot of the elected officials want to be elected but not do the hard work. He said they would make them work for their children, which was the job they asked for and would make them treat their employees fairly. He said that was what young people saw when they show unfairness. He said if he had committed a murder, on a public street in front of a lot of people, he would have been arrested immediately and that people were upset because it took days and hours for people to have even considered making an arrest when that had happened was so obviously. He said it only took probable cause and that was a reasonable belief by reasonable people that a crime had been committed, so why did it take so long? He said when people had to look at that, they saw the injustice, and it had happened time and time again. He said when BBQ Becky called the police about a young

**Meeting Minutes**  
**June 2, 2020**

man having a cookout in the park, to tell how fearful she was of a man who simply asked to put her dog on a leash. He said he understood why people were angry and upset. He said he had a conversation with his son, who has three sons, and his son said he understood now why he had yelled at him for not making a complete stop at the traffic light. He said it was because he knew he should not give police officers one reason to stop him and that he now appreciated that lesson. He said there was a lot of work they would need to do, and the Board was prepared to do it, as they had started tonight by making decisions that would have significant impact on the community, now, and into the future.

**ADJOURNMENT**

A motion was made by Commissioner Fuller, seconded by Commissioner Harden, and carried unanimously to adjourn the meeting.

The meeting adjourned at 11:16 p.m.

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**Emily A. Kunze, Clerk**

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**George Dunlap, Chair**