

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Tuesday, February 21, 2017, AT 6:00 p.m. IN THE Second Floor Conference Room.

THE PROPOSED AGENDA IS AS FOLLOWS:

Closed session as provided by Section 2.2-3712 of the Virginia Code

BY ORDER OF THE MAYOR

BY Sarah Brazelton

SECOND FLOOR CONFERENCE ROOM – February 21, 2017

Council met in special session on this date with the following members present: Ms. Galvin, Ms. Szakos, Mr. Bellamy, Mr. Fenwick, Mr. Signer.

On motion by Ms. Szakos, seconded by Ms. Galvin, Council voted, (Ayes: Ms. Szakos, Ms. Galvin, Mr. Signer, Mr. Fenwick; Noes: None; Absent at time of vote: Mr. Bellamy), to meet in closed session for the discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, because discussion in an open meeting would adversely affect the City Council’s bargaining position or negotiating strategy, specifically: (i) the acquisition of an easement across property owned by the County of Albemarle, for completion of the Schenk’s Branch Interceptor Project, and (ii) the possible exchange, transfer, reservation and/or property lease/use agreement between the City and County of Albemarle, involving real estate known as the 7th and Market Street parking lot, the Jessup House, the Levy Opera House, and the County Office Building.

On motion by Ms. Szakos, seconded by Mr. Bellamy, Council certified by the following vote (Ayes: Ms. Galvin, Ms. Szakos, Mr. Bellamy, Mr. Fenwick, Mr. Signer; Noes: None), that to the best of each Council Member’s knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion convening the closed session were heard, discussed or considered in the closed session.

COUNCIL CHAMBERS - February 21, 2017

ROLL CALL

Council met in regular session on this date with the following members present: Mr. Signer, Mr. Bellamy, Mr. Fenwick, Ms. Galvin, Ms. Szakos

AWARDS/RECOGNITIONS/ANNOUNCEMENTS

Mr. Fenwick announced the City of Charlottesville is encouraging residents to find and fix leaks at home by holding the annual Fix a Leak Family 5K at 10:00 am on March 26th at Pen

Park. He also announced the following City Council upcoming meetings. The Joint City Council/CRHA work session is held on Tuesday, March 2 at 4:00 pm in the Basement Conference Room. Also, the next City Council meeting is Monday, March 6 at 7:00 pm at City Hall in Council Chambers. Mr. Fenwick also said that the City Market Board is looking for members and the City Market opens in April.

Mr. Bellamy announced the meeting of the Black Male Achievement of Brotherhood tomorrow at Carver Recreation Center from 6:30 pm to 8:30 pm. He said that it is open to any young men in the community. He also announced the Liberation and Freedom Day, which commemorates the ending of slavery in the City of Charlottesville and Albemarle County. The Liberation and Freedom Day will be celebrated in Charlottesville on Friday, March 3, 2017, with observances at the University of Virginia Chapel and the Jefferson School Community Center.

Ms. Szakos announced the arrival of Jessica Evelyn Rice, the newest daughter of Paige and Joe Rice.

Ms. Szakos announced that Ms. Ella Jordan and Ms. Sarah Brazelton will be staffing the Clerk of Council office, while Ms. Paige Rice is out of the office on maternity leave.

Ms. Szakos invited Mr. Paul Oberdorfer the new Director of Public Works to the front. Mr. Oberdorfer came forward and said a few words.

Ms. Szakos said that she appreciated Ms. Mueller's willingness to try new things over the years. Ms. Szakos read the Proclamation for Ms. Judy Mueller's retirement. Ms. Mueller, former Director of Public Works, said that she has every confidence in the next director and the leadership team.

Ms. Galvin thanked Ms. Mueller personally for her work on the RWSA board and her guidance through the plumbing for the city.

Ms. Galvin announced the winners of the Planning Awards and several members that were present came forward and expressed their appreciation for Council's recognition.

Mr. Signer read the Big Read 2017 proclamation. He invited Ms. Heather Pehneec to the front to accept the proclamation on behalf of the JMRL Library.

Ms. Pehneec thanked Council for the opportunity to bring the book to the community's attention. She announced several events this coming month. She provided the brochure to Council and can download a copy of the book by going to www.jmrl.org.

CITY MANAGER RESPONSE TO MATTERS BY THE PUBLIC

Mr. Jones said that at the last meeting Mr. Derek Bond, the owner of the Melting Pot discussed his concerns over construction. He said that Mr. Bond had several concerns that he brought before Council. Mr. Jones reported that one of Mr. Bond's concerns was a sign blocking the sidewalk on the north side of Water Street. The sign was removed prior to the Council

meeting on February 6th. Mr. Bond's second concern was over the one way traffic and Mr. Jones commented that at the last meeting he updated Mr. Bond on staff's plan to open up Water Street to two lane traffic. He said that the two lane traffic was opened on February 10th. In addition, Mr. Jones gave an update to Council and the public on Belmont Bridge. He said that staff will be closing the sidewalk on the West side of the bridge, due to deterioration. Mr. Jones said that the deck of the bridge is in good shape and is not a concern. The City will provide pedestrian traffic to the east of the closed sidewalk and moving southbound vehicular traffic to the inner lane. Mr. Jones said that they have stripped the new walk way and there are plans to put in a concrete barrier between vehicular traffic, bicyclist and pedestrians.

Mr. Bellamy said that Mr. Corey Clayborne serves on the planning commission young architect of the year and featured in an architect magazine. Mr. Bellamy acknowledged that he is the first individual in this community to receive this award.

Ms. Szakos asked that staff explore the municipal identification card for those individuals who do not have any other form of id. She said that the municipal identification card can prove that people live in the City.

MATTERS BY THE PUBLIC

Mr. Signer read the rules for Matters by the Public. He commented on the new Matters by the Public process and the change in procedures over the last year.

Ms. Judith Seay, 1206 Mulberry Place, said that the elevator at Crescent Hall did not work when EMT's needed to take an elderly woman to the hospital on a gurney. She said that the seats are missing their backs in an auditorium of one of the City Schools. Ms. Seay said that most of the schools receive subsidized lunches. She asked that the extra money in the budget go to subsidizing all school lunches and the elderly.

Mr. Isaac Smith, Albemarle County, said that after Ms. Teresa Lam was assaulted and Mr. Kessler had his phone stolen he does not feel comfortable giving his address to Council. He said that the true symbol of oppression is the bars under the bridge that do not allow the homeless population to sleep under the bridge. Mr. Smith said that money is put into vanity projects rather than in the homeless population. He signaled out Mr. Fenwick concerning his speech from the last session.

Ms. Sara Clayborne, 1013 Linden Ave., said she is speaking on behalf of the Charlottesville Ballet. She said that 23 people met at the Paramount Theater on the Arts Director and said that it is very important to the progress of arts in the community. She asked that artists and nonprofits should be a part of a work session and that the City and County should collaborate on this position. She said that when tourists are surveyed that one of the top three people visit the City it is because of the arts.

Mr. Tim Bingler, 720 Shamrock Rd, said that there were 18 Blue Ribbon Commission meetings over six months last year. The Blue Ribbon Commission allowed the people to vote and they counted the votes. He said that in September 2017 there were 111 votes to leave the

statues where they were and the number of votes to remove the statues was 47. On November 2nd voted 6:3 for no change and more contextual content for the statues.

Mr. Michael Weber, 1855 Westview Road, said that he thanked Council for re-contextualizing the parks regardless of what happens to the statue. Mr. Weber said that re-contextualization said that it is a weak word. He suggested using the language of "confronting the past". Mr. Weber's example was to build a separate statue in front of the Robert E. Lee statue of an African American family being torn apart at an auction block.

Mr. John Heyden, Westwood Rd, said that this issue is about economics in regards to the Sanctuary City. In the last several years taxes have increased and continue to increase while risking the cut of federal funding.

Ms. Susan Payne, 206 E Jefferson St. , said that she wants to talk about the economic value of the arts, specifically tourism of the arts. Tourism is increasing 6% a year. She listed the statistics on tourism and the arts in the State of Virginia and Charlottesville. She asked that Council increase funding for the arts in Charlottesville.

Mr. Jon Peede, Board President of PCA, read a statement from the board. He said that the board deeply respects the Council and the City Employees. Mr. Peede said that PCA welcomes any discussion of increasing the local arts sector. He said that it should not allow an offset of local funds to existing programs.

Ms. Nancy Carpenter, 921 Henry Ave, said that she is here to ask for funding for permanent supportive housing beds for the chronically homeless in the City. She said that providing an additional 80 beds could have a measureable impact on the homeless community. Ms. Carpenter said that even UVA is dedicated to having talks about how a Medical Center can end homelessness.

Mr. Paul Long 1410 Grady Ave, said that he has lived in the City for many years. He recommends that City Council take a look at that concept known as "standing" and apply it to the Matters by the Public. Mr. Long said that many local residents did not get a chance to speak at the last meeting because of the many people out of town who took up the spots. Mr. Long said that he was not allowed to speak at a meeting of the Philadelphia City Council because he did not have any standing.

Ms. Teresa Lam, Elkton, said that she disagrees with Council's decision to move the Robert E. Lee statue. She asked Council to reconsider their vote. She said that those who lose their history are doomed to repeat it.

Ms. Kate Bennis, E. Jefferson, said that she is the President of the Little High Neighborhood Association. She read the statement that she sent to Council last week. She said that the guidelines and any changes to the guidelines put the neighborhood associations in a defensive position. The letter asked that the City and Planning Commission pay close attention to the process approval that may adversely affect their neighborhoods.

Mr. Bellamy said that he has a response to Mrs. Seay in regards to her concerns over Crescent Halls, school equipment and subsidized lunches. He said that Council agrees in principle to provide 2.5 Million in redevelopment of housing and \$1M in funds to schools. Mr. Bellamy said that the City can help with both the schools and housing and that the City does not have to choose between the two options.

Ms. Szakos said that several years ago that the former Mayor Dave Norris showed her a postcard of the day that the Robert E. Lee statue was installed in Lee Park. She said that it looked like there were Klu Klux Klan members at the dedication. Ms. Szakos said that she got a hold of the picture and posted it on Facebook. Later, Ms. Szakos said that someone posted a different picture from a different angle of the dedication and she said that it calls in to question whether Klansmen were present. She made a clarification on the Facebook page when she discovered the discrepancy but she had to close the Facebook due to comments on the page.

Mr. Signer clarified that he did not call Charlottesville a Sanctuary City in his press conference.

Ms. Galvin thanked the people who spoke about confronting the monuments from our past.

CONSENT AGENDA

- a. **Minutes for February 6**
- b. **APPROPRIATION: Additional Funding for Social Services Benefits Programs - \$14,519 (2nd reading)**

[Additional Funding for Social Services Benefits Programs](#)

WHEREAS, The Charlottesville Department of Social Services has received Federal and State funding in the amount of \$14,519 to be used for benefits programs staffing and operations.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$14,519 is hereby appropriated in the following manner:

Revenue – \$14,519

Fund: 212 Cost Center: 9900000000 G/L Account: 430080

Expenditures - \$14,519

Fund: 212 Cost Center: 3301005000 G/L Account: 510030 \$ 6,000

Fund: 212 Cost Center: 3301005000 G/L Account: 510060 \$ 8,519

- c. **APPROPRIATION: Crisis Intervention Team Grant: Department of Criminal Justice Services - \$20,000 (2nd reading)**

Crisis Intervention Team Grant

WHEREAS, the City of Charlottesville, through the Thomas Jefferson Crisis Intervention Team and the Charlottesville Police Department, receives grant funds from DCJS in the amount of \$20,000;

WHEREAS, the City of Charlottesville, through the Thomas Jefferson Crisis Intervention Team and the Charlottesville Police Department, receives grant funds to develop and implement a comprehensive and measurable process for assuring C.I.T. training capacity and consistency across the region;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the lump sum of \$20,000, received from DCJS is hereby appropriated in the following manner:

Revenues: \$20,000

\$20,000 Fund: 209 Internal Order: 1900226 G/L Account: 430080

Expenditures: \$20,000

\$20,000 Fund: 209 Internal Order: 1900226 G/L Account: 599999

BE IT FURTHER RESOLVED, by the Council of the City of Charlottesville, Virginia, that this appropriation is conditioned upon the receipt of funding from DCJS, and will be hereby considered as a continuing appropriation and funds received for this purpose will be immediately available to spend for the C.I.T. program.

d. APPROPRIATION: Check and Connect Student Engagement Continuation Grant - \$147,000 (2nd reading)

WHEREAS, the City of Charlottesville has been awarded \$110,250 in Federal Funds from the Virginia Department of Juvenile Justice, and \$36,750 in Matching Funds for a total award of \$147,000 for the Check and Connect Student Engagement Program; and

WHEREAS, the grant award covers the period from January 1, 2017 through June 30, 2017.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$147,000 is hereby appropriated in the following manner:

Revenue – \$147,000

\$110,250 Fund: 209 Cost Center: 3413008000 G/L Account: 430120
 \$ 36,750 Fund: 209 Cost Center: 3413008000 G/L Account: 498010

Expenditures - \$147,000

\$131,139 Fund: 209 Cost Center: 3413008000 G/L Account: 519999
 \$ 15,861 Fund: 209 Cost Center: 3413008000 G/L Account: 599999

Transfer - \$36,750

\$36,750 Fund: 213 Cost Center: 3413009000 G/L: 561209 Transfers

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$110,250 from VA Department of Criminal Justice Services, and \$36,750 from Community Attention.

- e. **APPROPRIATION: Donations for Community Risk Reduction Initiatives - \$3,246 (2nd reading)**

[Donations for Community Risk Reduction Initiatives](#)

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$3,246, to be received as donations from the above donors, be appropriated in the following manner:

Revenues - \$3,246

Fund: 105 Internal Order: 2000126 G/L Account: 451020

Expenditures - \$3,246

Fund: 105 Internal Order: 2000126 G/L Account: 599999

- f. **RESOLUTION: Donations of Surplus City Police Cars to Piedmont VA Community College**

[Donations of Surplus City Police Cars](#)

RESOLUTION**Donation of surplus City Police Cars to Piedmont Virginia Community College (PVCC)**

2003 Ford Taurus, VIN 1FAFP55243A207458; 2008 Chevrolet Impala, VIN 2G1WT58N681300617; 2006 Ford Taurus, VIN1FAFP53U56A128339; 2009 Chevrolet Impala, VIN 2G1WB5EK8A1196909.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Charlottesville that a 2003 Ford Taurus, VIN 1FAFP55243A207458; 2008 Chevrolet Impala, VIN 2G1WT58N681300617; 2006 Ford Taurus, VIN1FAFP53U56A128339; 2009 Chevrolet Impala, VIN 2G1WB5EK8A1196909, operated by the Police Department be donated to Piedmont Virginia Community College (PVCC).

- g. **ORDINANCE: Conditional Release of Bike/Pedestrian Access Easement on**

**Meadowbrook Road to Accommodate Retail Development at 1200 Emmet Street
(2nd reading)**

[Conditional Release of Bike/Pedestrian Access Easement](#)

**AUTHORIZING THE PARTIAL RELEASE AND MODIFICATION OF A
BICYCLE/PEDESTRIAN ACCESS EASEMENT LOCATED AT THE CORNER OF
MEADOWBROOK ROAD AND BARRACKS ROAD**

- h. ORDINANCE: Grant of Easement for Electric Duct Bank under Emmett Street, Stadium Road, Jefferson Park Avenue and Monroe Lane to the University of Virginia (2nd reading)**

[Grant of Easement for Electric Duct Bank](#)

**AUTHORIZING THE GRANT OF A UTILITY EASEMENT FOR ELECTRIC DUCT
BANK FACILITIES UNDER EMMET STREET, STADIUM ROAD, JEFFERSON PARK
AVENUE AND MONROE LANE TO THE RECTOR AND VISITORS OF THE
UNIVERSITY OF VIRGINIA**

- i. ORDINANCE: CenturyLink Communications Telecommunications Franchise Renewal (2nd reading)**

[CenturyLink Communications Telecommunications Franchise Renewal](#)

**GRANTING A TELECOMMUNICATIONS FRANCHISE TO CENTRAL TELEPHONE
COMPANY OF VIRGINIA D/B/A CENTURYLINK, ITS SUCCESSORS AND ASSIGNS
TO USE THE STREETS AND OTHER PUBLIC PLACES OF THE CITY OF
CHARLOTTESVILLE, VIRGINIA FOR ITS POLE, WIRES, CONDUITS, CABLES
AND FIXTURES, FOR A PERIOD OF FIVE (5) YEARS**

- j. ORDINANCE: FiberLight Telecommunications Franchise Renewal (2nd reading)**

[FiberLight Telecommunications Franchise Renewal](#)

**GRANTING A TELECOMMUNICATIONS FRANCHISE TO FIBERLIGHT OF
VIRGINIA, LLC, ITS SUCCESSORS AND ASSIGNS TO USE THE STREETS AND
OTHER PUBLIC PLACES OF THE CITY OF CHARLOTTESVILLE, VIRGINIA
FOR ITS POLE, WIRES, CONDUITS, CABLES AND FIXTURES, FOR A PERIOD OF
FIVE (5) YEARS**

Ms. Szakos wanted to highlight item F on the agenda. She said that PVCC created a car loan program for students who are obtaining their education. She said that people can offer their cars to PVCC as well.

On motion by Ms. Szakos, seconded by Ms. Galvin, CONSENT AGENDA was approved. (Ayes: Mr. Signer, Mr. Bellamy, Mr. Fenwick, Ms. Galvin, Ms. Szakos; Noes: None.)

PUBLIC HEARING / ORDINANCE: CABLE TELEVISION FRANCHISE AGREEMENT WITH COMCAST (carried)

[Cable Television Franchise Agreement with Comcast](#)

Ms. Allyson Davies, Deputy City Attorney, presented to Council and answered clarifying questions. She said that other cable franchises can come in to the Charlottesville area and provide cable services.

Ms. Galvin said that many people have complained about the customer service. She said that on page 17 of 39, section B outlines customer wait times. She quoted the document saying that customers will not wait for more than 30 minutes and transfer time should not exceed 30 seconds and that this would be measured on a quarterly basis. Ms. Galvin said that there is no language in the agreement that says the city will monitor this and asked if we can add that language to the agreement.

Mr. Signer said that he does not understand the 30 second wait time protocol. He pointed out that Ms. Galvin meant to say 30 seconds and not 30 minutes in her earlier statement. He quoted the document and said that a customer will not wait for more than 30 seconds when the connection is made and if the call is transferred, the customer will not wait longer than 30 seconds.

Ms. Davies clarified the 30 second rule and said that after the connection is made, meaning after a customer representative connects to the call, they have to address you before 30 seconds has passed. Mr. Signer said that the 30 second rule is meaningless.

Mr. Signer stated that when the Comcast representatives are invited to speak that he wants a cold, clear answer from them on this question.

Mr. Signer asked for the date the \$15,000 one-time grant was negotiated.

Ms. Davies said that the \$15,000 one-time grant was negotiated in November 2016.

Mr. Signer said that many constituents complain about the blariness of the Council broadcast. He asked if the City could use the \$15,000 to buy HD equipment, whether Comcast can provide an HD channel. Mr. Signer asked if this was negotiable including the amount of the one-time grant but he does not want this one item to hold up the franchise agreement.

Ms. Davies said that she would have to defer to Communications Director and Comcast. It is her understanding that Comcast has said they would be willing to provide an HD channel. She said that while the franchise agreement has been in limbo, that the Communications department has been very wary to invest in HD equipment.

Ms. Miriam Dickler, Director of Communications, clarified about HD. She said that what is going through internet is not the same as what is going through the broadcast cable system. Ms. Dickler said that if you make a change to one system it does not translate to the other system. She said that they have not spoken to their vendor for the online system about HD. Ms. Dickler commented that it is not simply the quality of the cameras because they are broadcasting analog. She said that in order to improve the quality not only would the cameras need to be updated but the equipment in the studio that handles the actual broadcast. Ms. Dickler said that they would need to evaluate the total cost of overhauling the space, because it is a fairly significant capital investment.

Mr. Signer invited Mr. Kevin Broadhurst, Vice President of Government & Regulatory Affairs, and Nathan Daugherty, Government & Regulatory Affairs Manager, to the microphone to answer questions.

Mr. Signer summarized the questions concerning the customer service response time language and about getting HD.

Mr. Broadhurst said his response on HD and implementation. He said that Comcast remains willing on the HD channel beginning in the next 3-5 years, and it does not have to be a part of this franchise agreement.

Ms. Szakos asked about the definition of what wait time means and could the reports be posted so staff can easily access the reports.

Mr. Broadhurst said that he does not know about the wait times because it is an FCC standard. He promised to get back to Council.

Ms. Galvin asked about the possibility of automatically posting the reports to the City's website so that staff can have access to the reports to monitor quality control.

Mr. Broadhurst said that they do not generate the reports by default and that they generate the reports manually. In the franchise agreement Comcast always asks that the reports be upon request.

Ms. Szakos asked whether anyone in Comcast is reviewing the reports to see if there are any trouble spots.

Mr. Broadhurst said that there are Comcast employees who are monitoring the data. Also, it takes an extra step to break down the information to the Charlottesville area. He said that the reports will not be available online.

Mr. Signer asked whether the customer wait time is FCC dictated or is it possible to negotiate the wait time. He said that his interpretation is that once someone has gotten through to a representative after waiting for an unspecified amount of time, that there cannot be more than a 30 second wait time for the representative to speak.

Ms. Davies agrees with Mr. Signer's interpretation. She said that they used the customer service requirements from the FCC because they cannot request more than the FCC guidelines.

Mr. Signer asked Ms. Davies to come back to clarify on the FCC guidelines between the first and second reading. Mr. Signer asked whether at the second reading they could make changes to the franchise agreement in order to have the most customer friendly language permissible by the FCC and that Comcast would agree to, in the franchise agreement.

Mr. Broadhurst said that there are enforcement provisions in the franchise that the City can use to compel Comcast if they are not in compliance of service standards.

Mr. Signer asked whether there was a time limit as to how long Comcast can make people wait on the phone before speaking to a representative.

Ms. Galvin said that there is a strong interest to have a provision in the franchise agreement about a time limit to how long a customer can wait on the phone before a connection is made.

Ms. Signer asked the other Council members and they agreed that there is strong interest in having this language in the agreement.

Mr. Broadhurst said that recently Comcast hired 5000 customer service agents across the United States and they have reduced the amount of time for service call installations. He said that the franchise agreement states the minimum amount of time; however Comcast goes above and beyond of what the franchise agreement states. They recognized their previous customer service short comings and have taken steps to remedy it.

Mr. Signer asked Council if there was an interest in receiving regular quarterly reports.

Ms. Dickler said that her office does not have any objection to request the quarterly information. She said that the Communication's office prefers to request reports on an as needed basis.

Mr. Broadhurst said they launched a program called Internet Essentials program. It is a broadband adoption program intended to bridge the digital divide. Comcast now offers high speed internet service for \$9.95/ month to lower income families. They have expanded this service to people who live in HUD resident and buy laptops for \$145. He said they are looking for new ways to advertise.

Mr. Signer opened up the public hearing. Having no speakers Mr. Signer closed the public hearing.

On motion by Ms. Szakos, seconded by Mr. Fenwick, the Cable Television Franchise Agreement with Comcast carried pending additional information.

Mr. Signer adjourned the meeting at 8:53 pm for a 10 minute recess.

Mr. Signer reconvened the meeting at 9:05 pm

REPORT: LANDMARK HOTEL

Landmark Hotel

Mr. Chris Engel, Director of Economic Development, presented to Council on the developments with the Landmark Hotel. 200 jobs with average or above wage threshold. This does not meet that threshold and would not be above the median wage for the area. The City has not provided tax incentives to other hotels, except for the Omni in the 1980's when they wrote off \$10M. Would not be out of the general fund to pay check tape.

Council asked clarifying questions and Mr. Engel and Mr. Jones answered the questions and addressed concerns.

On motion by Mr. Bellamy, seconded by Mr. Signer, 15 more minutes were added to the discussion.

Mr. Signer gave his reasons for supporting the Landmark Hotel deal and negotiations.

Ms. Szakos stated her reasons for supporting the opposite view.

Ms. Galvin stated her reasons for supporting the Landmark Hotel deal. She also provided additional conditions that she wants Mr. Engel to present to Mr. Dewberry.

1.) Establish within the contract a firm timeline with benchmark dates to accomplish the structural review and improvements to the structure's current appearance.

2.) Include these conditions in the agreement to ensure the completion of the project in a timely manner and the commitment to local jobs:

- a) Require that any lender be a bona fide third party financial institution w/experience in hotel type lending and subject to the reasonable approval of the city;
- b) Ensure in writing the City's right to approve a change in management of the hotel;
- c) Ensure in writing that Dewberry will commit to providing 100 jobs for local residents;
- d) Require a completion and payment bond as evidence of Dewberry's ability to perform;
- e) Develop hotel financing and operational documentation such that the city would not under any circumstances, be considered a party to a joint-venture; and

- f) Require Dewberry to pay for the city's legal costs, including outside counsel, for preparing and reviewing all of the required documentation.
- g) If a certificate of occupancy has not been issued by the completion date the total grant amount allowable will be reduced by 2% per month, such that the total grant received would be reduced by 24% each month.

Ms. Szakos asked if Mr. Engel is comfortable taking this into negotiations. Mr. Engel said that he would be comfortable taking this to the negotiating table.

Mr. Signer told Mr. Engel that Council is interested in having him negotiate with Mr. Dewberry based on Ms. Galvin's recommendations and for him and staff to use their discretion.

REPORT: CREATION OF CITY STAFF POSITIONS (ARTS DIRECTOR)

[Creation of City Staff Positions \(Arts Director\)](#)

Mr. Maurice Jones, City Manager, presented to Council on the creation of the Arts Director position. He presented several options to council and answered clarifying questions.

Mr. Fenwick said that he would support this and asked how the City would make it work.

Mr. Jones said that the City would have to engage the Arts community to develop a plan to move forward.

Ms. Szakos asked Mr. Jones what he thinks about this position and are we far enough along in this process to make this decision for the budget year.

Mr. Jones said if they were going to form a commission then there would have to be staff dedicated to this program. Mr. Jones said that compared to the other needs in the organization, he is not sure that the Art's Director position is the highest priority. Mr. Jones said that there are other needs the City has, which were identified in the efficiency study. However, Mr. Jones agreed with many people in the arts community who have said that we cannot continue with the status quo.

Ms. Galvin said that she is interested in creating this position within CACVB which is set up to receive City and County funds. She is interested in pursuing the course in coordination with the County through the CACVB. Ms. Galvin also said she could see an art's policy board that could advise a staff person in the future.

Mr. Bellamy said he sees the value and wonders how to make it work. One of his concerns is over whether there is a need for a FTE or a part time position for the Art's Director position.

Ms. Szakos said she supports the CACVB option and listed her reasons.

Mr. Signer asked the Arts organizations in the audience whether they favored an in-staff position by show of hands. He then asked the audience how many would favor the CACVB arts collaboration/position. Mr. Signer said there was support for both options from the audience.

Mr. Signer suggested a part time position in the City like they did with the City Clerk. He said that the job description would focus on programming, coordinating, facilitating and funding art's projects. He also said that it is important to know what is happening with PCA and that the part time staff person could work heavily with PCA.

Mr. Signer said that as part of the cultural plan it would be good to carve out the arts program from the ABRT process.

Ms. Szakos and Mr. Jones confirmed that the arts programs are reviewed separately by different committees in the ABRT process. Mr. Signer said that he would propose additional separation within the ABRT process.

Mr. Signer said that the other option is to collaborate with County to have a new function/reprioritization in CACVB of arts and linked to the tourism and economic development.

Mr. Signer said that he would like to get staff feedback on those two options. Ms. Szakos suggested to involve the public. Mr. Signer agreed and said it would be very helpful to have the public engagement and then Council can decide.

Mr. Bellamy said public engagement is an important piece.

Mr. Jones said that several years ago Council made a decision to connect the ABRT applicants more closely with Council's priorities across all organizational types. He said that there still needs to be a connection to a City Council priority and our vision for the funding. Mr. Jones clarified that there is a separate committee to review the art applications. He said that the ABRT applications are still held to certain standards and gave an example. He asked Council to think about how closely they want to marry the Council's priorities to the ABRT process/funds.

Ms. Galvin said that if the position will be part time then she suggested to combine it with a town architect. She said that she misnamed the position and clarified what she meant when she introduced this topic several months ago. Ms. Galvin said that "architect" would not be the right word. She said the position would be about place making engagement and urban design. Ms. Galvin said it is important to think about in terms of cultural plan. She said that the position she is suggesting is about place making and better community engagement and creating tools we need to implement in cultural planning.

Mr. Signer said that this position will be discussed in another meeting.

Ms. Galvin requested that this position be discussed in another work session a month from now.

Mr. Jones said that his concern about combining the two positions together is the different skill sets.

REPORT: THOMAS JEFFERSON PLANNING DISTRICT COMMISSION ANNUAL WORK PROGRAM

[TJPDC Annual Work Program](#)

Mr. Chip Boyles presented to Council and answered clarifying questions.

Ms. Szakos said that she would love to have Mr. Jones, Mr. Ikefuna and the new Public Works Director to work with the TJPDC and see where the TJPDC can help.

Ms. Galvin said that she supports Ms. Shakos' recommendation to have lead staff work with the TJPDC.

OTHER BUSINESS

Mr. Signer said our special permit process is out of date in this era of quick press conferences via social media. He spoke to Mr. Jones about reviewing it and the difference in press conference and a formal event.

Mr. Jones said that press conference in the past did not attract hundreds of people. He said that rally's that the City is aware of when the organizer is expecting more than 50 people requires a special permit. Mr. Jones commented that when you use social media to send out the invitation you don't know how many people will turn up.

Ms. Szakos said there is an item to put on a future agenda. She brought up the neighborhood advocate position and said that the position could be combined with a public engagement coordinator position.

Mr. Jones said that we will be launching a customer inquiry system that would allow the City to respond to requests and complaints. He agreed with Ms. Szakos that it would be a valuable position to have someone whose primary responsibility is to look into the complaints and public feedback.

Ms. Galvin said that we are looking into the update of the comprehensive plan, which requires extensive community engagement. She said that related to that is the implementation tools and required new zoning, which might be form based code. Ms. Galvin said that currently we do not have staff to implement/ write the new code.

Ms. Szakos said that Ms. Galvin's job description is not what she has envisioned in the neighborhood advocate/public engagement coordinator position.

MATTERS BY THE PUBLIC

Ms. Annie Tamek, Albemarle County, said that space is a really important issue to an artist.

Mr. Allen Gafinsky, new to Charlottesville, said it is his first City Council meeting. Mr. Gafinsky said that tourism and festivals are great and vibrant part of the cultural identity of the city. He said that the arts must be more inclusive than just festivals. The arts should go beyond dollar signs and he listed the ways that the arts can tie to the community.

Mr. Jon Peede, 9 York Place, said that a lot of this conversation is centered on the PCA and what it is and is not doing successfully. Mr. Peede said that he believes that the PCA is fulfilling more of the cultural plan than Council realizes. He said that this past October they sent in more than 80 progress points done by the PCA for the ABRT process. The ABRT process has declined to fund PCA at all for the past three years. He said that PCA could provide statistics on arts in the community.

Ms. Valerie Long, Marriot Hotel, thanked the Council for their time and issues to Landmark Hotel. Sent everyone her comments and will send them to Mr. Jones. Ms. Long said that getting this project moving is important to the city but she is not sure whether this is the way to go about it. She pointed out that at this point in time that the situation is created by the personal decision of the developer.

Mr. Matthew Slatts , 100 Kelsey Courts, thanked council for bringing the arts topic back to light. He said that this answer will not come from staff alone.

Ms. Chris Yore, 1556 Dairy Rd, said that she wanted to assure Mr. Fenwick that artists can organize and mobilize. She said that the artist organizations are not coming asking for a handout. He said that the arts create revenue for the city and not asking for money back.

Meeting adjourned at 11:08 pm.

Approved by Council
March 6, 2017



Acting Clerk of Council