

**NOTICE OF SPECIAL MEETING**

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, March 19, 2018, AT 5:30 p.m. IN THE Economic Development Conference Room, 605 E. Main Street.

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 Paige Rice

**SECOND FLOOR CONFERENCE ROOM – March 19, 2018**

Council met in special session on this date with the following members present: Ms. Galvin, Mr. Bellamy, Ms. Hill. On motion by Ms. Hill, seconded by Ms. Galvin, Council voted, (Ayes: Ms. Galvin, Ms. Hill, Ms. Walker; Noes: None; Absent at time of vote: Mr. Bellamy, Mr. Signer) to meet in closed session as authorized by Va. Code sec. 2.2-3712, specifically: 1. Virginia Code sec. 2.2-3711 (A) (1 ), for the purpose of discussion or consideration of prospective candidates for appointment to boards and commissions; 2. Virginia Code sec. 2.2-3711(A)(3) and (A)(7), to discuss or consider the disposition of real property for a public purpose, because discussion in an open meeting would adversely affect the city's bargaining position or negotiating strategy, specifically: to discuss the possible exchange, transfer, reservation or property lease/ use agreement involving real estate known as the 7<sup>th</sup> St. and Market Street Parking lot; and for consultation with legal counsel regarding any specific legal matters having to do with this topics, and 3. Virginia Code sec. 2.2-3711(A)(7) also for consultation with legal counsel pertaining to pending litigation (specifically: Albemarle v. City of Charlottesville (use of Ragged Mountain for biking); Payne v. City; Kessler v. City of Charlottesville; and/or City v. Pennsylvania Lightfoot Militia), because consultation in open meeting would adversely affect the City's litigating posture.

On motion by Ms. Hill, seconded by Ms. Galvin, Council certified by the following vote (Ayes: Mr. Bellamy, Ms. Galvin, Ms. Hill, Ms. Walker; Noes: None; Absent at time of vote: Mr. Signer) 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 CHAMBER - March 19, 2018**

**ROLL CALL**

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

## **PROCLAMATIONS**

Mr. Bellamy read a proclamation in celebration of Women in Public Office Day and presented Ms. Walker, Ms. Hill, and Ms. Galvin. He also thanked Ms. Robertson and Ms. Rice for their service.

## **CITY MANAGER RESPONSE TO COMMUNITY MATTERS**

Mr. Jones said staff has met with Ms. Gorcenski about her concerns. He updated Council on the Police Civilian Review Board (CRB) process and announced the community forum has been scheduled for April 24.

## **COMMUNITY MATTERS**

Mr. James Hingeley, City resident, asked Council to rename Emancipation Park to Swanson Legacy Park. He passed around photographs of Mr. Swanson and told his story.

Ms. Emily Dreyfus, Legal Aid Justice Center, and PHAR Advisory Council, said the name for Emancipation Park should come from the community of residents who are most effected by the injustices that have happened in this community. She spoke about the real estate market being allowed to continue to determine low income residents' fate. She said affordable housing is not adequately provided for in the current budget.

Mr. Walter Heinecke, ceded his time to Ms. Ronna Gary. She said she was a victim of a crime in Charlottesville. She spoke regarding her experience with going through a recent trial in the City. She called for the resignation of a member of the police department.

Mr. Bellamy asked for a five minute recess.

The meeting was called back to order.

Ms. Jessica Maslaney, Executive Director at the YMCA, introduced a teacher from the child care program. The teacher introduced the families present at the meeting, who were attending in support of the YMCA child care program.

Ms. Jojo Robertson said the back row of Chambers needs to be for handicapped people. People from Crescent Halls do not attend the meeting because the space is not accessible. She said there is a rude note going around the Downtown Mall, and people should be able to honor victims of this past summer. She said the City should spend money on the chiller for Crescent Halls instead of money for the Downtown Mall. She said the Human Rights Commission has not been effective.

Ms. Hill said she followed up with Mr. Murphy about accessibility in Chambers, and staff is working on this.

Mr. Harold Folley, 1407 Miller St., ceded his time to Ms. Nancy Carpenter. Ms. Carpenter said the community is in the dark about how the City plans to select members of the Civilian Review Board. She objected to City Council eliminating County residents and said there is a lack of transparency.

Ms. Walker gave an overview of the work Council has done on the Civilian Review Board since the application process began. She explained Council's reasoning for selecting City residents to move forward. She said she will always honor transparency. She said speaking publically about applicants is different from deciding to speak publically about one another as elected officials. She said she is open to hearing from the public, especially the applicants, about their thoughts on the matter.

Ms. Mary Carey, City resident, said Council gave away money to the Downtown Business Association without discussion. She said the Downtown Mall is only accessible to the rich. She said the City should celebrate Mr. Harris after he was found not guilty.

Mr. Luis Oyola, Old Lynchburg Rd., said some of the survivors of the August 12 car attack have not been able to access any of the donated funds that were raised in their name. He said officers prevented anyone from joining the walk-out at the schools this past week, claiming it was for the students' safety. He asked Council for an independent and transparent process regarding the Civilian Review Board.

Mr. Bellamy said there was a meeting this past week regarding expediting the process for disbursing the funds to victims. He asked to meet with Mr. Oyola to discuss further.

Ms. Galvin said she would like to see a report on this matter and offered Council's assistance.

Mr. Don Gathers, City of Charlottesville, said he supported Mr. Oyola and Ms. Carey's remarks. He spoke against the response of the police to the CHS walk-out last week. He said the vote on funding for the DBAC at the last meeting should not have taken place. It will not support minority businesses, and it will not support people of color. He said the events of this evening illustrate the need for a Civilian Review Board. He called for a report of how the Police Chief interview process has transpired, and what criteria were used to narrow down the 70+ applicants.

Mr. Michael Payne spoke about the conference held this weekend on affordable housing and gentrification. He said there were proactive solutions put forward, and he called to continue the conversation. There is limited land, and it has become very valuable. He called for Charlottesville to be a leader in solving the affordable housing crisis.

Ms. Galvin said the Council was not informed of this conference until last Tuesday, and she would have attended if it were possible. She asked Mr. Jones about the timeline on the housing needs assessment report coming before Council this spring. Mr. Jones updated Ms. Galvin on the timing for these discussions. Ms. Galvin requested adding affordable housing and the Regional Transit Plan to the next joint City/County meeting.

Ms. Walker said she hopes the City works to keep people living in the City.

Ms. Hill said we need to take this to the state, and she asked for the community's support for doing so.

Ms. Rosia Parker spoke against the funding for the DBAC. She said she was offended about the letter that circulated on the Downtown Mall. She said black lives matter.

Mr. Lawson Leavell, said the environment has become increasingly polluted. He called for the City to do more for the environment, including promoting use of environmentally responsible bags at local businesses and reducing plastic.

Mr. Evan Brown ceded his time to Ms. Molly Connors, City resident, who recited for Council the slip of paper that was distributed to the protestors during the Deandre Harris case. She spoke in opposition to the DBAC funding vote.

Mr. Walt Heinecke asked Council to address the Human Rights Commission in the current budget cycle. He said the City has made a mistake with the Commission, and they need to correct it. He outlined the following steps: 1) fund another civil rights attorney in the current budget cycle; 2) mandate the director enter a work-share agreement with the EEOC in Richmond; 3) mandate the HRC engage in one major study of systemic discrimination per year; 4) change the reporting structure so the HRC reports directly to the mayor and City Council. He said the City does not need more studies to fix this.

Mr. Bellamy supported Mr. Heinecke's suggestion via e-mail to look at the Austin, Texas model for the HRC. He said the original charge of the HRC is not currently being carried out. He said he would like to discuss possibilities, including an Equity Office.

Ms. Hill said Council has discussed setting aside funds for use following a more thorough exploration of the duties and structure of the HRC.

Ms. Galvin said the structure needs to be revisited. The chair of the Human Rights Commission should be reporting to Council regularly.

Ms. Walker said we need to make sure we are creating a system where groups like the HRC are allowed to do their work, regardless of how uncomfortable it may be.

Mr. Jones said it would be appropriate for Council to have these discussions with the HRC during their annual report at the April 16 Council meeting. He outlined options for providing funding. Mr. Bellamy asked for additional discussion to be scheduled following the HRC's report at the April 16 meeting.

Ms. Galvin said Council needs an understanding of why an attorney's position was not funded again. Mr. Jones said Council can direct the charge of the HRC, and that would be part of the discussion.

Ms. Walker called a 10 minute recess.

The meeting was called back to order.

## CONSENT AGENDA

- a. **Minutes for March 5, 2018**
- b. **APPROPRIATION: Disproportionate Minority Contact in the Charlottesville/Albemarle Criminal Justice System Research Project - \$100,000 (2nd reading)**

### [Disproportionate Minority Contact](#)

#### APPROPRIATION

#### **Disproportionate Minority Contact in the Charlottesville/Albemarle Criminal Justice System Research Project - \$100,000**

**WHEREAS**, the City of Charlottesville has been awarded \$90,000 in Federal Funds from the Virginia Department of Criminal Justice Services, and \$10,000 in Matching Funds from the Charlottesville Department of Human Services for a total award of \$100,000 for the Disproportionate Minority Contact in the Charlottesville/Albemarle Criminal Justice System Research Project; and

**WHEREAS**, the grant award covers the period from January 1, 2018 through September 30, 2018.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$100,000 is hereby appropriated in the following manner:

#### **Revenue**

\$ 90,000	Fund: 209	Cost Center: 1900297	G/L Account: 430120
\$ 10,000	Fund: 209	Cost Center: 1900297	G/L Account: 498010

#### **Expenditures**

\$ 100,000	Fund: 209	Cost Center: 1900297	G/L Account: 530670
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#### **Transfer**

\$ 10,000	Fund: 213	Cost Center: 3411001000	G/L Account: 561209
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$90,000 from the Virginia Department of Criminal Justice Services.

- c. **APPROPRIATION: Charlottesville Fire Department Legacy Vending Machine**

**Funds - \$4314.94 (Carried)**

[Charlottesville Fire Department Legacy Vending Machine Funds](#)

- d. **RESOLUTION: Residents on the Job Program Funding Request for FY18 - \$39,211**

[Residents on the Job Program Funding](#)

**RESOLUTION**  
**Residents on the Job Program Funding Request for FY 2018**  
**\$39,211**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$39,211 is hereby paid from currently appropriated funds in the Council Strategic Initiatives account in the General Fund to CRHA for the Residents on the Job Program.

\$39,211

Fund: 105

Cost Center: 10110010000

- e. **RESOLUTION: Safe Route to Schools Non-Infrastructure Grant Application - \$102,000**

[Safe Route to Schools Non-Infrastructure Grant Application](#)

**RESOLUTION**  
**Supporting Safe Routes to School (“SRTS”) Projects**

**WHEREAS**, obesity is one of the most serious threats to American public health, ranking third among preventable causes of death in the United States;

**WHEREAS**, motor vehicle crashes are also a leading cause of death and injury to children;

**WHEREAS**, between 1969 and 2009 the percentage of children walking and biking to school dramatically declined from 48 percent to 13 percent;

**WHEREAS**, the Safe Routes to School program, created by Congress in 2005, aimed to increase the number of children engaged in active transportation when traveling to school by funding (1) infrastructure projects, located within two miles of a public school, that directly increase safety and convenience for public school children walking and/or biking to school, and (2) noninfrastructure projects designed to encourage public school children to walk and bicycle to school;

**WHEREAS**, Safe Routes to School projects are a proven, effective approach to increasing the number of children actively traveling to school by foot or bike;

**WHEREAS**, Safe Routes to School projects provide important health, safety, and environmental benefits for children, including reducing risk of obesity/chronic disease and pedestrian/bicycle injuries as well as improving air quality;

**WHEREAS**, the need for Safe Routes to School projects is especially strong in low-income areas, which suffer from a disproportionately high incidence of both childhood obesity/chronic disease and pedestrian and bicycle injuries and often have inferior pedestrian and bicycle infrastructure;

**WHEREAS**, Safe Routes to School projects make it safer and more convenient for all residents to walk and bike to destinations, further promoting public health;

**WHEREAS**, a goal of the City of Charlottesville's current Comprehensive Plan, Bicycle and Pedestrian Master Plan, Complete Streets Resolution and Healthy Eating Active Living Resolution supports active transportation options, which can be met in part by implementation of Safe Routes to School projects;

**NOW, THEREFORE, BE IT RESOLVED** that the City of Charlottesville affirms its commitment to active transportation and supporting Safe Routes to School infrastructure and non-infrastructure projects.

**f. ORDINANCE: Quitclaim Gas Easement to VDOT at Adams Court (Carried)**

[Quitclaim Gas Easement to VDOT at Adams Court](#)

Mr. Jones briefly reviewed item d. and read the corresponding resolution. Ms. Galvin said she looks forward to hearing more about part two after the pilot has concluded.

On motion by Mr. Bellamy, seconded by Ms. Galvin, the motion to approve the consent agenda passed. (Ayes: Mr. Bellamy Ms. Galvin, Ms. Hill, Ms. Walker; Noes: None; Absent at time of vote: Mr. Signer)

**BOARDS AND COMMISSIONS**

On motion by Ms. Hill, seconded by Mr. Bellamy, Council appointed the following candidates to the Planning Commission: Lyle Solla-Yates to fill immediately, and Hosea Mitchell and Hunter Smith to fill the terms effective June 30. The motion to approve the appointments to boards and commissions passed. (Ayes: Mr. Bellamy Ms. Galvin, Ms. Hill, Ms. Walker; Noes: None; Absent at time of vote: Mr. Signer)

**PUBLIC HEARING: FY 2019 TAX RATE**

[FY 2019 Tax Rate](#)

**PUBLIC HEARING: CITY MANAGER'S PROPOSED FY 2019 BUDGET**[City Manager's Proposed FY 2019 Budget](#)

Mr. Maurice Jones presented to Council on the FY 2019 tax rate and the City Manager's proposed budget.

Ms. Galvin corrected herself on a recent article published in the Daily Progress.

Mr. Bellamy discussed options for the Charlottesville Housing Affordability Program, specifically the tax relief grants and said he supports exploring an increase for the applicants with \$0-\$25,000 yearly income. He said that with the new Communication Director pushing information to the community he expects there to be an influx of people trying to access the tax relief program.

Mr. Jones asked if Mr. Bellamy wanted to increase the amount of the grant specifically for applicants with yearly incomes ranging from \$0-\$25,000.

Ms. Walker said she supports expanding the grant amount for applicants who ear \$0-\$50,000 yearly. She said she is also interested in removing the requirement that you must not be delinquent on your taxes in order to qualify for the CHAP grant program. Mr. Bellamy confirmed that this would require a policy amendment.

Ms. Galvin asked if we could get more information about this process through the housing needs assessment study.

On motion, the public hearing was opened.

Mr. Michael Payne said UVA plays an important role in our tax revenue. UVA is exempt from paying property taxes to the City, which amounts to around \$4 million. He said UVA needs to pay its employees and contractors a living wage.

Mr. Travis Wilburn, Ridge St., thanked Councilors for their service. He thanked Council for not raising the tax. He said there will be a good time and place to do this and have an impact on affordable housing, but this is not a good year after the events of the past summer.

Ms. Joan Fenton, 3705 Country Lane, said she was not aware of the notice that was distributed at the Courthouse and supported marchers on the Downtown Mall. She spoke against raising the lodging tax. She said there has not been adequate time to engage those most affected by it.

Ms. Colette Hall, 101 Robertson Ln., spoke to the increase in real estate and property taxes. She said the increase in her taxes since she purchased her home in the 1990s is not fair or equitable.



Mr. Evan Brown, City resident, said the lodging tax should be increased. This is a progressive tax that will affect wealthy, non-local visitors.

Having no further speakers, the hearing was closed.

Mr. Bellamy asked for the total revenue for the increased lodging tax and where we are compared to other localities.

On motion, the public hearing was opened for the FY19 budget.

Ms. Brooks Wellman, on behalf of Light House Studio, asked Council to fund their program at Vinegar Hill.

Ms. Katie Hanson spoke in support of funding for the Music Resource Center. She distributed information to Council.

Mr. Michael Payne said there are a lot of good things in the budget, but there is not yet enough future vision to the budget. He reviewed several ideas for his vision for an improved budget.

Ms. Jessica Maslaney, representing the YMCA child care center, spoke in support of the child care program at the Jefferson School. She reviewed statistics for the parents the center serves.

Ms. Eleanor VonAchen spoke in support of funding for child care at the YMCA. She said the program provides diversity and equal opportunity.

Ms. Erin Tucker, 123 4th Street NW, representing On Our Own, spoke in support of funding for their organization. She specifically asked that the City approve funding to the On Our Own WRAP program (Wellness Recovery Action Plan), which she said has support from community members, such as Ms. Cherry Henley, for broadening the reach.

Mr. Walt Heinecke, Amherst St., said the City should discuss the implications of a national study that shows black boys are at a disadvantage, and explore ways this can be addressed in the budget. He spoke in support of funding for the Office of Human Rights.

Ms. Emily Dreyfus said she supports Mr. Payne's recommendations and Mr. Heinecke's remarks. She said the average assistance for homeowners is small in comparison to the cost of living in Charlottesville. She spoke in support of a robust and comprehensive program to support low income individuals serving on the City's boards and commissions. She offered Legal Aid Justice Center's assistance.

Ms. Tanesha Hudson said the less than 1% budget for training and employee compensation versus 25% for public safety and justice reflects what happened this August.

Mr. Andrew Best addressed Council about water bills. He said the City has a "Toilet Leak Policy", stating that no relief is granted if a leaky toilet is the cause. He asked Council to examine the policy and consider the fairness. He said there is also a large profit margin on water. He said this is an equity issue.

Ms. Zoe Kreelova spoke against funding for marketing for the Downtown Mall. The City needs to fix things instead of marketing a false image. She said the Mall should cater to local citizens who live and work nearby. She said "Fridays after Five" does not have diversity. She asked the City to work towards inclusivity.

Having no further speakers, the public hearing was closed.

Mr. Bellamy said Daniel Fairley is the new coordinator for Black Male Achievement. He spoke to efforts to improve diversity for Fridays After Five. He said there are challenges to getting diverse artists here in the current climate after the events of this summer. He said he is working on diversity issues on the Downtown Mall daily.

Ms. Galvin spoke to the importance of performance metrics attached to our Strategic Plan goals, especially the job centers and the GO Program.

Ms. Walker discussed the YMCA child care request and the future of the Jefferson School. She said it is important to assess whether budget requests are making a dent in disparities. She said Council needs to consider requests holistically, and needs to challenge organizations that make decisions based on assumptions about funding.

Ms. Hill said the City needs to reexamine how they allocate capital budget, approach the budget with a different perspective, and involve the community.

Ms. Galvin said we need a mechanism to look at the City's programs on the whole, in one centralized place.

Ms. Walker said we need to talk about who we are engaging with these decisions and evaluate who we listen to and who we hire.

**PUBLIC HEARING /APPROPRIATION: HB2 / SMART SCALE GRANT FUNDING  
BARRACKS ROAD / EMMET STREET INTERSECTION - \$8,640,866 (carried)**

[HB2 / SMART Scale grant funding](#)

Mr. Tony Edwards, NDS Manager, presented to Council.

On motion, the public hearing was opened. Having no speakers, the public hearing was closed.

Ms. Galvin moved; Ms. Hill seconded. The motion carried.

Ms. Walker called a brief recess.

The meeting was called back into session.

## **REPORT: INTERNET ACCESS FOR PUBLIC HOUSING**

### [Internet Access for Public Housing](#)

Mr. Bellamy presented to Council and answered clarifying questions.

Ms. Walker asked if this will benefit others. She said she would like a presentation from Ting. She asked if it is possible to enable public housing areas in the same way the Downtown Mall is enabled. Mr. Bellamy said providing individual network connections provided much faster service. Ms. Walker asked about options for locations such as Crescent Hall and providing infrastructure for redevelopment.

Ms. Galvin said she supports equity for access, and we cannot wait for redevelopment because we do not know when this will happen.

Mr. Bellamy said Council can put Ting on the agenda for April 2 in order to answer Council's questions. Ms. Galvin asked staff to ensure we do not need multiple bids.

## **REPORT: COMMUNITY REMEMBRANCE PROJECT WITH THE EQUAL JUSTICE INITIATIVE**

### [Community Remembrance Project with the Equal Justice Initiative](#)

Mr. Mike Murphy, Assistant City Manager, presented to Council.

Ms. Galvin recommended that Dr. Schmidt and Dr. Douglas be commissioned to help the City through the process of obtaining and installing the EJI memorial.

Dr. Schmidt reviewed her process and potential timeline and gathered feedback from Council.

Ms. Galvin made a motion to commission Dr. Schmidt and Dr. Douglas, to move forward with the process, with an update to Council in April. Mr. Bellamy seconded the motion. The motion passed. (Ayes: Mr. Bellamy Ms. Galvin, Ms. Hill, Ms. Walker; Noes: None; Absent at time of vote: Mr. Signer.)

## **REPORT: INVESTIGATIVE DETENTIONS UPDATE**

### [Investigative Detentions Update](#)

Interim Chief Thierry DuPuis presented to Council. He also invited Capt. Mitchell to present details from 2017 reports. Chief DuPuis said the Charlottesville Police Department has taken on a rigorous analysis of the data they are collecting. He answered clarifying questions for Council. Council discussed disparities in investigative detentions.

Ms. Walker said that in 2012 she remembers that Chief Longo put this program in place to get ahead of a potential mandate from the state. Interim Chief DuPuis said that reviewing the data for the Stop and Frisk program was in response to what was happening in New York City, namely the Stop, Question and Frisk program. He said that Chief Longo put forward the program in response to the concerns of the information coming from the New York City program. However, Interim Chief DuPuis agreed with Ms. Walker, that the program's origin may have come from a potential state mandate.

Ms. Walker asked for clarification around the number of arrests made from the detentions program. Capt. Mitchell said that there were no arrests made from the investigative detentions for 2017. She pointed out that the program is not working because an officer saw someone and because of whatever reason stopped them to see if that person committed or is in the act of committing a crime. Ms. Walker said there are major issues and the program is not working because there was not a presence of a crime since the individual was not arrested.

Councilors discussed that officer training may be biased, if their intuition to stop individuals were wrong over 50% of the time. Ms. Walker said often the reason individuals are stopped is because of their skin color. She said we also need to examine why calls for service are higher in some neighborhoods than others. She called for a conversation about equity on every level.

Mr. Jones outlined next steps, including a deeper dive into existing data and moving forward with adult DMC studies, as well as making sure we are doing adequate training, and taking action when there are issues.

Ms. Hill said we need to take advantage of a leadership change and look at how to improve community relations and overcome existing barriers.

Ms. Walker said the City needs to make sure we properly select the next Police Chief.

Ms. Galvin requested that this data be provided longitudinally.

## **REPORT: COMMUNICATIONS UPDATE**

### Communications Update

Mr. Brian Wheeler, Director of Communications, presented to Council and answered clarifying questions.

Ms. Hill said providing the community a customized approach for City Notes will be important. She said a feedback mechanism needs to be tied to the CRM. Responsiveness is an issue, and it needs to be addressed as a team. She asked staff to explore improving the functionality and appearance of the City's website. Ms. Hill said consistency needs to exist across all departmental web pages. She spoke in support of the recent open data initiative.

Ms. Galvin thanked Mr. Wheeler for the positive changes taking place. She discussed the importance of properly managing the CRM system. Mr. Wheeler said a release for the "MyCville" app is scheduled and will be piloted with a few departments. Ms. Walker said she wants to make sure there is an option for users to provide feedback on the service they receive.

Mr. Bellamy asked if the Council can launch their post-meeting recaps by June. He asked about the possibility of posting Council meetings as podcasts, akin to what the County does.

Ms. Hill asked Mr. Wheeler to provide a crisis communications plan ahead of the possible events of this coming summer.

## **OTHER BUSINESS**

Mr. Bellamy asked Ms. Robertson about 1011 E. Jefferson Street and changes in the scope of the project since they presented to the Planning Commission. He asked if Council could request that the Planning Commission hear the matter again. Ms. Robertson reviewed the guidelines and said there are no grounds to reopen the approval process at this time, in her legal opinion. Ms. Robertson explained that representations made by applicants that are not requirements should be reflected in the list of conditions for an SUP. Ms. Galvin said this demonstrates the need for a form based code.

## **MATTERS BY THE PUBLIC**

Mr. Dan Brown, County resident, said the information provided during the Investigative Detentions report was not adequate. He provided a list of questions: How many supervisory reviews result in reversals? How many commanders overturn supervisors? How frequently was discipline applied? What was that discipline? Has anyone been fired? Is body cam footage viewed to verify officer's accounts? Are other witnesses interviewed to see if they support the account? Is an independent body evaluating the legality of the stops? Are particular officers conducting these stops more frequently? How does this compare to other communities where this type of data exists? He said that looking at this data can show if there is a particular officer who is disproportionately detaining individuals on the street. Disciplining that officer could change the reality on the street, and the data already exists.

Dr. Jalane Schmidt said the panelists who will interview candidates for the Police Chief should have the candidates' information further in advance, as 30 minutes is not enough time to properly review. She said the goal seems to be to keep the community in the dark.

Mr. Michael Payne said Community Benefit Agreements are used in other localities as an agreement between developers and their localities. He asked if the City Police or JADE have used road-side drug testing kits currently or in the past. He said false positives have been a problem in other cities, and the City should examine whether they potentially have a back-log of false positives.

Mr. Walk Heinecke said the City has a huge evaluation problem with their stop-and-frisk policy. Evidence-based research groups in the City should be more broadly appointed, with potential critics. The Police CRB needs to have the right people, not cronies, or results will not change. He recommended bringing in a critical race evaluator now, and not wait for the new Police Chief.

The meeting was adjourned at 12:33 a.m.