

## NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, May 7, 2018, AT 5:30 p.m. IN THE Second Floor 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 –May 7, 2018

Council met in special session on this date with the following members present: Ms. Galvin, Mr. Signer, Mr. Bellamy, Ms. Hill. On motion by Ms. Hill, seconded by Ms. Galvin, Council voted, (Ayes: Ms. Galvin, Ms. Hill, Mr. Signer; Noes: None; Absent at time of vote: Mr. Bellamy, Ms. Walker) to meet in closed session as authorized by Va. Code sec. 2.2-3712 , specifically: Virginia Code sec. 2.2-3711 (A) (1)&(3) to discuss 1) as authorized by Virginia Code sec. 2.2-3711(A)(7) and (A)(8), for discussion of actual or probable litigation, where consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the City, and also for consultation with legal counsel on specific matters requiring the provision of legal advice by counsel. Actual litigation to be discussed will include the Water Street Parking Garage litigation, as well as lawsuits pending within Charlottesville Circuit Court and Federal Court for the Western District of Virginia, relating to the Lee and Jackson Statues and the Events of Summer 2017. Legal counsel will provide legal advice to Council as to matters relating to this litigation, as well as counseling as to the advisability of becoming involved in other litigation unrelated to Summer 2017 Events, either as plaintiff or defendant; and 2) as authorized by Virginia Code sec. 2.2-3711(A)(3) and (A)(8), for discussion or consideration of the acquisition of real property or an interest therein 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: the possible exchange, transfer, reservation and/or lease/use agreement between the City and County of Albemarle, involving real estate known as the 7<sup>th</sup> and Market Street parking lot; possible acquisition of an easement for utilities within Steephill Street; possible acquisition of land or an interest in land along West Main Street, and for consultation with legal counsel on such acquisition or disposition of property.

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

### ROLL CALL

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

Ms. Hill announced changes to the agenda; River Rd. SUP has been withdrawn, and SPCA report has been deferred.

Ms. Galvin read a proclamation recognizing May as Bike Month. Mr. Carl Schwarz was present to accept.

Ms. Hill read a proclamation in recognition of Mental Health Month.

### **CITY MANAGER RESPONSE**

Mr. Jones updated Council on Ms. Carey's concerns regarding an obstruction at the corner of Elliott Ave. and 1st Street; Ms. Meir's concerns about site plans; and Ms. Parker's concerns about pedestrian safety along West Main St.

### **COMMUNITY MATTERS**

Ms. Joan Fenton, County resident, said staff needs to create a written policy regarding street closures, including inputs and specific guidelines. Ms. Galvin said this matter and other related issues will be on the May 21 Council agenda.

Mr. Evan Brown, City resident, said sales on the Downtown Mall have been up, and the Downtown Business Association does not need marketing funding. He asked if the City has contributed any funds to the victims of this summer.

Mr. Jones said Council has not allocated funding to the victims at this time. Mr. Bellamy described funding that has been available to the victims through various organizations. He asked for a follow-up conversation. A member speaking from the audience said they are not interested in an off-record conversation. Mr. Signer said Council has not received any proposals or requests for funding. Ms. Galvin reviewed the procedures for requesting funding from the City. Mr. Bellamy said organizations soliciting funds could create a proposal and present to Council.

Ms. Diane Townes requested that County residents be given the option to rename Emancipation Park. Many County residents have close ties to the City and should be given the opportunity to answer the survey. Ms. Townes said she would prefer the name Drewary Brown Park.

Ms. Galvin said she thought County residents could participate in the survey. Mr. Jones clarified that Council decided only City residents would be able to participate.

### **COMMUNITY MATTERS**

Mr. Bill Emory, E. Market St., discussed the small area plan process. He said there are many other areas requiring a small area plan, and he hopes rapid completion of the Hydraulic/29 small area plan bodes well for the other areas. He asked if the new Assistant City Manager position has been filled, and if the code audit has been completed.

Mr. Keith Smith, representing the Thomas Jefferson Community Land Trust, thanked the Councilors for their generous grant from a year ago. He shared updated information on construction plans, which include four affordable housing buyers.

Mr. Paul Long, Ridge St., said he objects to several proposals for revised CAT Routes, including the revised free trolley route diverting its path from the Downtown Mall. He said he objects to Route 7 being rerouted from Route 29, and he objected to eliminating the stop at the main post office. He said bus stops have become farther away from one another, which makes the buses difficult to access. He called for money to be diverted to public transportation.

Mr. Bellamy asked Ms. Galvin to speak to issues the Regional Transit Partnership have been discussing. Ms. Galvin said a retreat is planned to discuss how to move forward with a high-frequency system.

Ms. Galvin addressed Mr. Emory's comments as well about growth along Route 29. The City should apply the same principles Mr. Emory discussed to all small area plans. Mr. Long said public transportation has never paid for itself.

Mr. Bellamy asked Mr. Jones if a report from Mr. John Jones at CAT can be provided to give an explanation of why certain routes are being proposed for cuts. Mr. Jones explained that proposed route changes are being submitted for public comment, and Council will have the opportunity to weigh in on these changes once the comments have been collected.

Ms. Emily Gorcenski said she plans to leave the City and the Country because of their dereliction of duty for keeping this City safe. She discussed domestic extremists infiltrating the military and attending gatherings such as Unite the Right as active duty military. She said she and her wife were attacked in just the way she warned Council about. She said the City continues to do nothing.

Mr. Signer said he is sorry. He credited Ms. Gorcenski for her research and the specifics that she was able to find. He said we should have been able to foresee what did come. Ms. Gorcenski said the City will receive her bill for \$350,000.

Mr. Morgan Butler, Southern Environmental Law Center, said they sent Council a letter regarding the small area plan at Hydraulic. He said recent improvements are progress. However, the recent pattern of development is auto-centric, which is counter to the City's stated goals.

Ms. Kathleen Maier said she was working with the Human Rights Council following August 12, and they worked with the victims and tried to follow up but could not due to confidentiality constraints. She said her neighborhood has met about the Riverbend development,

which highlights the City's need for another Assistant City Manager. She said this project will cause gentrification, veiled as something different.

Ms. Deborah Jackson, Belmont resident, addressed Council about Riverbend Development and the proposed Belmont Lofts development. She said this is not in conformance with the current zoning and reviewed reasons why.

Mr. Signer asked when Council can weigh in on this. Mr. Jones said this is currently a by-right development, and the site plan is being reviewed with NDS staff. She said this is a suburban apartment complex being thrown into the middle of Belmont.

Ms. Galvin said the site plan does not at all appear to be in conformance with the existing zoning. Ms. Robertson reviewed the process at Mr. Signer's request.

Mr. Jim Chang, president of the Meadows Neighborhood Association, said he personally endorses the small area plan for Hydraulic / Route 29, primarily because of the plan for roadways, which will reduce cut-through traffic for the neighborhood.

Ms. Elizabeth Boyd, County resident, thanked Council for their time serving the City's residents. She shared her input on the Confederate statues in Charlottesville and said the efforts to remove the statues is an uphill battle.

Mr. Caleb Herndon thanked Council for their work and echoed Ms. Boyd's comments.

**CONSENT AGENDA\*:**

a. Minutes for April 16, 2018

b. APPROPRIATION: Domestic Violence Services Coordinator Grant - \$49,336 (2nd reading)

[Domestic Violence Services Coordinator Grant](#)

**WHEREAS**, The City of Charlottesville, through the Commonwealth Attorney's Office, has received the Domestic Violence Services Coordinator Grant from the Virginia Department of Criminal Justice Services in the amount of \$38,336 in Federal pass-thru funds, Albemarle County is to contribute an additional \$6,000 in local cash match, and the City Commonwealth Attorney's Office will contribute up to \$5,000 cash match, as needed to meet salary and benefit expenses.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$49,336 is hereby appropriated in the following manner:

**Revenues**

\$38,336	Fund: 209	Cost Center: 1414002000	G/L Account: 430120
\$ 6,000	Fund: 209	Cost Center: 1414002000	G/L Account: 432030
\$ 5,000	Fund: 209	Cost Center: 1414002000	G/L Account: 498010

**Expenditures**

\$49,336 Fund: 209 Cost Center: 1414002000 G/L Account: 519999

**Transfer**

\$ 5,000 Fund: 105 Cost Center: 1401001000 G/L Account: 561209

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$38,336 from the Virginia Department of Criminal Justice Services, and \$6,000 from the County of Albemarle, Virginia.

c. APPROPRIATION: Funds transfer from School HVAC Operations to School HVAC Capital Improvement Program - \$130,000 (Carried)

[School HVAC Capital Improvement Program](#)

d. APPROPRIATION: Funds for 2018-19 Community Development Block Grant - \$389,291.49 (Carried)

[Funds for 2018-19 Community Development Block Grant](#)

e. APPROPRIATION: Funds for the 2018-2019 HOME fund - \$99,488.45 (Carried)

[2018-2019 HOME fund](#)

f. APPROPRIATION: Community Development Block Grant Account Amendment - Reprogramming of Funds for FY 18-19 (Carried)

[Community Development Block Grant Account Amendment](#)

g. APPROPRIATION: Amendment to HOME Investment Partnership Account - Reprogramming of Funds for FY 18-19 (Carried)

[Amendment to HOME Investment Partnership Account](#)

h. APPROPRIATION: State Assistance and Citizen Donation for Spay and Neuter Program at SPCA - \$1,998.52 (Carried)

[Spay and Neuter Program at SPCA](#)

i. APPROPRIATION: Internal funds transfer designated for new Salt Storage facilities - \$300,000 (Carried)

[New Salt Storage Facilities](#)

j. RESOLUTION: City-CRHA-PHA Revised Scope of Work for Strengthening Systems grant

[City-CRHA-PHA Revised Scope of Work](#)

**RESOLUTION**  
**In support of Revised Scope of Work for**  
**City-CRHA-PHAR Strengthening Systems Grant**

**WHEREAS**, the City of Charlottesville is committed to the provision of affordable housing and strengthening the capacity of the Charlottesville Redevelopment and Housing Authority (CRHA) and Public Housing Association of Residents (PHAR), to act as active partners in the development of affordable housing, and redevelopment efforts; and

**WHEREAS**, the City of Charlottesville worked with CRHA and PHAR to apply for a Charlottesville Area Community Foundation (CACF): Strengthening Systems Grant on June 8, 2016 and signed the grant agreement to receive \$283,000 over three years; and

**WHEREAS**, the City of Charlottesville, CRHA and PHAR formed a Project Management Team (PMT) to administer the grant, hire consultants as needed, and distribute the grant funding; and

**WHEREAS**, on July 1, 2017 the Project Management Team (PMT) hired Enterprise Foundation to work with City of Charlottesville, CRHA and PHAR to Strengthen the relationship between the three institutions and build trust with public housing residents in preparation for redevelopment of CRHA properties; and

**WHEREAS**, on March 14, 2018 the Enterprise Foundation submitted a revised scope of work (attached) to include; a) Resident Engagement Process Development, b) Strengthening CRHA Governance, c) Strengthening PHAR Capacity and Long-Term Sustainability, and d) Redevelopment Action Plan; and

**WHEREAS**, the PMT requests that each institution re-commit their organizations to the revised scope of work listed above;

**BE IT RESOLVED THAT**, the City of Charlottesville City Council hereby commit to support the revised scope of work of the Enterprise Foundation, and work to strengthen relationship with CRHA and PHAR.

RESOLVED This   7   Day of May, 2018.

k. RESOLUTION: Accepting 2017 Water Resources Protection Program Advisory Committee Annual Report

[2017 Water Resources Protection Program Advisory Committee Annual Report](#)

**RESOLUTION**  
**Accepting the Charlottesville Water Resources Protection Program**  
**Advisory Committee (WRPP-AC)**  
**End-of-Year Report to City Council, CY2017**

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Charlottesville that the Charlottesville Water Resources Protection Program Advisory Committee (WRPP-AC) End-of-Year Report to City Council, CY2017 is hereby accepted.

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

Mr. Bellamy said the Housing Authority fully supports item j. on the consent agenda.

**PUBLIC HEARING /REPORT: APPROVAL OF FIVE YEAR CONSOLIDATED PLAN FOR FY 2018-19 - 2022-23 AND FY 2018-19 ANNUAL ACTION PLAN**

[Approval of Five Year Consolidated Plan & Annual Action Plan](#)

Ms. Tierra Howard, Grants Coordinator, presented to City Council. The application is due to HUD on May 15, but this has been postponed until the City receives their allocation letter. Ms. Howard distributed revised goals for the action plan, which reflects public comment. Ms. Howard reviewed options for priority neighborhood funding and recommended that Council alternate Belmont and Ridge Street funding year over year, and extend the grant period to six years.

Ms. Galvin confirmed that these recommendations were informed by Ms. Morrison's suggestions in the Needs Assessments Study. She confirmed with Mr. Jones that Council will have the opportunity to discuss the Needs Assessments Study separately. She said it is important for the County to partner with the City, especially on affordable housing, and she recommended this be a priority for the City/County fall summit agenda. Ms. Howard addressed Ms. Galvin's questions about Section 3 and partnering with CRHA. Ms. Galvin said we need to be on top of the Section 3 program and should have regular updates.

Mr. Bellamy said in making sure that affordable housing is available to all residents, we may not be targeting those most in need. He asked if we can target those at 50% AMI and below. Ms. Howard said the plan can call out a targeted group, such as persons with special needs. Council can identify 50% AMI and below in their goals.

Ms. Hill asked for clarification on how other localities participate.

On motion, the public hearing was opened.

Mr. Brandon Collins, City resident, with PHAR, said it is important the Consolidated Plan is consistent with the Housing Authority's annual plan. The relocation of public housing residents in the next several years as redevelopment moves forward needs to be addressed. Ms. Kim Spalding, 912 Ridge St., asked that staff work with the neighborhoods on how to implement funding.

Having no further speakers, the public hearing was closed. On motion by Ms. Galvin, seconded by Mr. Bellamy the motion passed. (Ayes: Mr. Bellamy, Ms. Galvin, Ms. Hill, Mr. Signer; Noes: None; Absent at time of vote: Ms. Walker)

On motion by Mr. Bellamy, seconded by Mr. Signer, Council voted to approve the 2018-22 Consolidated Plan and Annual Action plan were with under 50% as AMI priority and clarifying the language regarding that. The motion passed. (Ayes: Mr. Bellamy, Ms. Galvin, Ms. Hill, Mr. Signer; Noes: None; Absent at time of vote: Ms. Walker)

Ms. Galvin said we need a separate conversation about the City's Section 3 policy.

**A RESOLUTION  
PRIORITY NEIGHBORHOOD FUNDS  
FOR BELMONT AND RIDGE STREET NEIGHBORHOODS  
FY 18-19**

**WHEREAS**, on September 18, 2017, Council of the City of Charlottesville named Belmont and Ridge Street as the priority neighborhoods for FY 18-19;

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the funds for FY 18-19 shall be allocated as follows:

The allocation shall alternate each year between Belmont and Ridge Street neighborhoods, and the allocation shall be extended to a total of six years so that each neighborhood gets a total of three years of funding, with Belmont being the first year's recipient.

**RESOLUTION  
Approval of 2018-2022 Consolidated Plan and FY 2018-2019 Annual Action Plan**

**BE IT RESOLVED**, that the Charlottesville City Council hereby approves the 2018-2022 Consolidated Plan and the FY 2018- 2019 Action Plan of the 2018-2019 Consolidated Plan as presented at the May 7, 2018, City Council meeting. All CDBG and HOME project estimates shall be increased or reduced at the same pro-rated percentage of actual entitlement. No agency's EN amount will increase more than their initial funding request.

Council took a recess at 8:20 p.m. and reconvened at 8:32 p.m.

**PUBLIC HEARING / ORDINANCE: TREE DESIGNATIONS FOR THREE HISTORIC TREES (CARRIED)**

[Tree Designations for Three Historic Trees](#)

Mr. Mike Ronayne, Urban Forester, Parks and Recreation, presented to Council and answered clarifying questions.



On motion, the public hearing was opened.

Ms. Rebecca Quinn, 4th St., said the oak in front of the library was described as being in good health, in spite of visual concerns. She said she is looking forward to the planning process for the front of the library. She supports the designation for the oak tree. She asked if designating the tree at Emancipation Park would interfere with removal of the tree should it become necessary in the grander scheme of planning for the park design.

Having no further speakers, the public hearing was closed.

Ms. Lisa Robertson distributed a proposed ordinance for the tree designations, which is required instead of a resolution.

On motion by Mr. Signer, seconded by Ms. Galvin, the ordinance carried for a second reading.

Ms. Galvin asked if designating the tree in Emancipation Park could impede the park's redesign. Mr. Ronayne said the tree may be removed under certain circumstances, per Council's decision.

**RESOLUTION: 901 RIVER ROAD SPECIAL USE PERMIT Withdrawn by applicant**

[901 River Road Special Use Permit](#)

**REPORT: HYDRAULIC SMALL AREA PLAN**

**RESOLUTION: COMPREHENSIVE PLAN AMENDMENT & SPECIAL DESIGNATION**

**RESOLUTION: INCORPORATING HYDRAULIC/29 IMPROVEMENT PLAN**

[Hydraulic Small Area Plan](#)

Mr. Alex Ikefuna, Neighborhood and Development Services Director, presented to Council. Mr. Mazarro was also present to provide comments and answer questions.

Ms. Galvin made a motion for both the land use plan and the transportation plan resolutions. Mr. Bellamy seconded the motion.

Ms. Galvin said it is important to acknowledge our City's size and need for affordable housing. She said she would like to move forward with making a percentage target for affordable housing in all small area plans. She applauded the community engagement model used for this plan.

The motion passed. (Ayes: Mr. Bellamy, Ms. Galvin, Ms. Hill, Mr. Signer; Noes: None; Absent at time of vote: Ms. Walker)

**RESOLUTION**  
**APPROVING AN AMENDMENT TO THE CITY COMPREHENSIVE PLAN BY**  
**INCORPORATION THE 2018 HYDRAULIC-29 SMALL AREA PLAN, AND**  
**DESIGNATING THE AREA AS AN URBAN DEVELOPMENT AREA (UDA)**

**WHEREAS**, on April 10, 2018, after notice was given as required by law, the Charlottesville Planning Commission and Charlottesville City Council conducted a public hearing on a proposed amendment to the 2013 Comprehensive Plan for the City of Charlottesville, to include the contents of the proposed 2018 Hydraulic-29 Small Area Plan, and designation of the area as an Urban Development Area (UDA); and

**WHEREAS**, on April 10, 2018, the Planning Commission adopted a resolution recommending approval by the City Council of the Comprehensive Plan Amendment, and certifying a copy of the Comprehensive Plan Amendment to Council for its consideration; now, therefore,

**BE IT RESOLVED** that, upon consideration of the Comprehensive Plan Amendment, the City Council hereby adopts the 2018 Hydraulic-29 Small Area Plan as an amendment to the City's Comprehensive Plan. The City Council further designates the area as an Urban Development Area (UDA) in accordance with the Code of Virginia, section §15.2-223.1. The Neighborhood Development Services staff shall post on the City's website notice of Council's adoption of this Update, along with a copy of the approval Update.

**RESOLUTION**  
**APPROVING AN AMENDMENT TO THE CITY COMPREHENSIVE PLAN BY**  
**INCORPORATION OF THE 2018 HYDRAULIC-29 TRANSPORTATION**  
**IMPROVEMENT PLAN, WHICH INCLUDES SCENARIO 1-GRADE SEPARATED**  
**INTERCHANGE AT THE HYDRAULIC & ROUTE 29 INTERSECTION**

**WHEREAS**, on April 10, 2018, after notice was given as required by law, the Charlottesville Planning Commission and Charlottesville City Council conducted a public hearing on a proposed amendment to the 2013 Comprehensive Plan for the City of Charlottesville, to include the contents of the proposed 2018 Transportation Improvement Plan, which includes Scenario 1-Grade Separated Interchange at the Hydraulic Road/Route 29 Intersection; and

**WHEREAS**, on April 10, 2018, the Planning Commission adopted a resolution recommending approval by the City Council of the Comprehensive Plan Amendment, and certifying a copy of the Comprehensive Plan Amendment to Council for its consideration; now, therefore,

**BE IT RESOLVED** that, upon consideration of the Comprehensive Plan Amendment, the City Council hereby adopts the proposed 2018 Transportation Improvement Plan, which includes Scenario 1-Grade Separated Interchange at the Hydraulic Road/Route 29 Intersection as

an amendment to the City's Comprehensive Plan. The Neighborhood Development Services staff shall post on the City's website notice of Council's adoption of this Update, along with a copy of the approval Update.

**REPORT: SPCA ANNUAL REPORT Deferred**

[SPCA Annual Report](#)

**OTHER BUSINESS**

Ms. Galvin made a motion:

**RESOLUTION AUTHORIZING THE CITY ATTORNEY TO  
RETAIN OUTSIDE LEGAL COUNSEL ON A PRO-BONO BASIS**

**BE IT RESOLVED** by the Charlottesville City Council that the City Attorney, including any attorney serving as Acting City Attorney, is hereby authorized to retain outside legal counsel to assist the City Attorney with any pending litigation involving the City of Charlottesville, and with any matter requiring the provision of legal advice to the City government, when such outside legal counsel is offering to provide such assistance on a pro bono basis. Reference to pro bono shall mean, for purposes of this Resolution, that there will be no charge to the City for the provision of legal services, but if requested by any such outside counsel, the City may pay such reasonable costs (postage, duplication/copying costs, etc.), if the City Attorney approves the request in advance of the cost(s) being incurred, and the Finance Director determines that funding is available to cover such cost(s).

**BE IT FURTHER RESOLVED** that the City Attorney, including any attorney serving as Acting City Attorney, is hereby authorized to execute on behalf of the City of Charlottesville any agreement in the nature of an engagement letter, to engage outside legal counsel on a pro bono basis, as set forth herein above.

Mr. Bellamy seconded the motion. The motion passed. (Ayes: Mr. Bellamy, Ms. Galvin, Ms. Hill, Mr. Signer; Noes: None; Absent at time of vote: Ms. Walker)

Ms. Galvin asked about per capita spending for housing in Charlottesville. Mr. Jones said Mr. Ikefuna sent the information earlier this evening.

The City's current (FY2018) per capita spending on affordable housing is \$124/person. This compares to approximately \$61/person in Albemarle County, \$56/person in the City of Alexandria, \$33/person in the City of Roanoke, and \$23 / person in the City of Winchester. The State of Virginia, through the Virginia Housing Trust Fund, spends approximately \$0.95/person. Ms. Galvin said this is very important information. She asked for follow-up on the Housing Plan.

Meeting adjourned at 9:00 p.m.