

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, June 4, 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 –June 4, 2018

Council met in special session on this date with the following members present: Ms. Galvin, Mr. Signer, Mr. Bellamy, Ms. Hill, Ms. Walker. On motion by Ms. Hill, seconded by Mr. Signer, Council voted, (Ayes: Ms. Galvin, Ms. Hill, Mr. Signer, Ms. Walker; Noes: None; Absent at time of vote: Mr. Bellamy) to meet in closed session as authorized by Va. Code sec. 2.2-3712, specifically: 1) as authorized by Virginia Code sec. 2.2-3711(A)(7) and (A)(8), for discussion of probable litigation, and a possible settlement of that 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 relating to the probable litigation; 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, because discussion in an open meeting would adversely affect the City Council's bargaining position or negotiating strategy, specifically the 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; and 3) as authorized by Virginia Code sec. 2.2-3711(A)(1), for discussion and consideration of prospective candidates for appointment to boards and commissions.

On motion by Ms. Hill, seconded by Mr. Bellamy, Council certified by the following vote (Ayes: Mr. Bellamy, Ms. Galvin, Ms. Hill, Mr. Signer, Ms. Walker; 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.

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.

Mr. Bellamy announced a GRACE task force event on June 9. He also announced the Implicit Bias community event on June 11.

BOARDS & COMMISSIONS

On motion by Ms. Galvin, seconded by Ms. Hill, the following nominations were made to the Civilian Review Board: Gloria Beard, Josh Bowers, Sarah Burke, Don Gathers, Katrina Turner, Guillermo Ubilla, and Juan Gonzalez. The motion passed. (Ayes: Ms. Galvin, Ms. Hill, Mr. Signer; Noes: Ms. Walker, Mr. Bellamy)

COMMUNITY MATTERS

Ms. Marta Keane, CEO for JABA, presented to Council on Mountainside Senior Living in Crozet, which provides assisted living and memory care beds. She asked for the City's continued support.

Mr. Paul Long, Ridge St., addressed Council about their decision not to renew the City Manager's contract. He said the governance structure in Charlottesville is not working for the City. The office of mayor should be elected for a four-year term, answerable to the public. He said Councilors should be elected on a ward basis, with two additional City Councilors elected at-large.

Mr. Bellamy said he would be open to hearing from Del. Toscano about the process for establishing a strong mayor form of government for the City of Charlottesville. Ms. Galvin said she has no problem finding out more information about the process at this point, which is not to say that she supports this approach one way or the other. This would mean a change of the City Charter. Ms. Galvin asked for a report from Ms. Robertson or Mr. Jones about the options. Mr. Signer said community engagement would be of utmost importance on such a matter. He said this would be a great conversation to start.

Mr. Tony Wasch spoke about safety on the Downtown Mall. He said 2nd Street and 4th Street are closed to traffic during Film Festival Week, and they should be closed permanently for pedestrian safety. This is not a true pedestrian mall otherwise.

Mr. Spot Etal, Grove St., spoke about local politicians, the upcoming elections, and gerrymandering. He suggested Council invite future Republican candidates not to evade Charlottesville residents and their concerns.

Mr. Peter Krebs, Piedmont Environmental Council, City resident, said they have worked to create more and safer connections to walk, ride and run in and around Charlottesville. He directed people to go online to pecva.org/cvillegreenways to complete a survey. He invited people to a few upcoming events.

Mr. Don Gathers, City resident, thanked Mr. Jones for his service to the community and said he did not deserve non-renewal of his contract. He said there is job genocide for black men in the Charlottesville community. He asked Mr. Jones to stay with the City through the end of August to get them through the August 12 anniversary. He said Mr. Signer did not hesitate to vote for the funding for CACVB, as there was with the EJI trip. He urged Council to fund the

internet allocation for CRHA. He asked if Council considered any alternate candidates for the CRB, and he asked which of the appointees represent low income housing.

Ms. Mary Carey, City resident, said Mr. Signer was never the president of Fifeville. She said Councilors cannot handle criticism. She asked the Councilors what they are afraid of. She said she did not like the way Council handled the situation with the City Manager.

Mr. Signer clarified that he did not make the remarks Ms. Carey attributed to him regarding Fifeville.

Mr. Evan Brown, City resident, said Corey Long did nothing wrong and encouraged people to show up to his trial. He asked why Jeff Fogel was not appointed to the Civilian Review Board. He said Rosia Parker is also a valuable community member and long-time City resident and should be appointed. He requested that the survey results from the Civilian Review Board be made public and made a verbal FOIA request to Mr. Wheeler for the document. He called for Mr. Signer's resignation.

Mr. Harold Foley, Miller St., said he is representing Legal Aid. He asked why the Council did not appoint someone from the low-wealth community to the Civilian Review Board.

Mr. Bellamy said he voted against the Civilian Review Board due to these concerns. Mr. Signer said Mr. Bellamy did not identify the particular concern Mr. Foley addressed.

Mr. Jim Shea, City resident, said Council failed to appoint someone of low wealth to the CRB. He said these are the people who suffer the most in our community at the hands of the police.

Ms. Katrina Turner, City resident, said there is not a low income person on the CRB. She asked why Jeff Fogel and Rosia Parker are not on the CRB. She said there are people on the board who know nothing. She called for accountability. She called on Council to reconsider the membership.

Ms. Gloria Beard, City resident, said people who have had encounters with the police should be on the CRB. She said she doesn't want to be on the board if Council cannot get it right.

Ms. Rosia Parker, City resident, said she is a low-income resident and has fought for thirteen years against police abuse of the low-income community. She said she will make sure there is accountability whether or not she is on the CRB. She said she will not go away.

A resident who identified herself as a teacher in Charlottesville said the Council needs to go back to the drawing board with selection of the CRB candidates. She said the people should choose who is on the board.

Council called a recess at 7:29 p.m. and reconvened at 7:51 p.m.

Ms. Walker opened a discussion about the CRB amongst Councilors. She said Councilors believed they appointed a low income member to the CRB. Ms. Hill said this was Council's

understanding. Ms. Galvin confirmed this. She said she also believes Council appointed someone who has had negative experiences with the police.

Ms. Walker said the question of the survey's purpose is fair. Ms. Hill said she considered all information that was provided in the survey, including written comments.

Mr. Bellamy asked if a majority of Council was willing to discuss the CRB deliberations that took place in closed session. Ms. Hill, Ms. Walker, and Mr. Signer said they would support this. Ms. Galvin urged caution about a public discussion about individual personalities. Mr. Bellamy said this is different; Ms. Galvin conceded.

Ms. Walker said she recommended choosing the top three to four members the community chose, and then have Council choose the remaining members. She said the survey was not scientific and did not ask some questions.

Mr. Bellamy said he is appalled that Council did not select a civil rights attorney for the CRB. Ms. Hill confirmed that the civil rights attorney position was the final candidate that Council was not able to reach consensus on. Ms. Galvin said the survey was not an election; it was a piece of information intended to help Council deliberate. Mr. Signer explained his position.

Ms. Walker encouraged the public to participate in the CRB meetings, which are public. She asked people to report back to Council if they feel the process is not being conducted properly. In response to a comment from the audience, Ms. Walker said appointing alternates to the CRB is not a part of the process at this time. Ms. Galvin said a wide representation was important.

Mr. Signer said certain conversations about board appointments could be public. Ms. Galvin said making this a public process would not be healthy for the community.

CONSENT AGENDA:

a. Minutes for May 21, 2018

b. APPROPRIATION: Supplemental funding from Charlottesville City Schools for the Charlottesville High School Fieldhouse Renovation Project - \$121,775.00 (Carried)

[Charlottesville High School Fieldhouse Renovation Project](#)

c. APPROPRIATION: Grant for Construction of Rugby Avenue Trail -\$396,450 (Carried)

[Grant for Construction of Rugby Avenue Trail](#)

d. APPROPRIATION: Fire Equipment Overpayment Reimbursement - \$18,712.50 (Carried)

[Fire Equipment Overpayment Reimbursement](#)

e. APPROPRIATION: Charlottesville Affordable Housing Fund for repayment of Substantial Rehab loan - \$24,000.00 (Carried)

[Repayment of Substantial Rehab loan](#)

f. RESOLUTION: Allocation to CRHA for Internet Installation - \$150,000

[Allocation to CRHA for Internet Installation](#)

RESOLUTION

**High Speed Broadband Internet Services Infrastructure for Charlottesville
Redevelopment and Housing Authority - \$150,000**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the following is hereby of \$150,000, is hereby paid from currently appropriated funds in the Capital Improvement Program Contingency account to the Charlottesville Redevelopment and Housing Authority:

\$150,000 Fund: 426 WBS: CP-080 G/L Account: 599999

g. RESOLUTION: Community Civil Rights Pilgrimage Funding Request - \$55,000

[Community Civil Rights Pilgrimage Funding Request](#)

RESOLUTION

Community Civil Rights Pilgrimage Funding Request \$55,000

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$55,000 is hereby paid from currently appropriated funds in the Council Strategic Initiatives account in the General Fund to the Jefferson African American Heritage Center in support of the community civil rights pilgrimage.

\$55,000 Fund: 105 Internal Order: 2000135

h. RESOLUTION: 227 Brookwood Dr. Special Use Permit (SUP)

[227 Brookwood Dr. Special Use Permit](#)

RESOLUTION

**GRANTING A SPECIAL USE PERMIT FOR A FAMILY DAY HOME FOR UP TO
EIGHT (8) CHILDREN AT 227 BROOKWOOD DRIVE**

WHEREAS, Diane Anderson (“Applicant”) has submitted an application seeking approval of a special use permit to allow a family day home within her home located at 227 Brookwood Drive, Charlottesville, Virginia, such property being further identified on City Tax Map 25A as Parcel 27, consisting of approximately 0.28 acre (“Subject Property”); and

WHEREAS, Applicant seeks to establish a family day home serving up to 8 children at the Subject Property, operating between the hours of 7:00 a.m. and 5:30 p.m.; and

WHEREAS, the Subject Property is zoned “R-1S” (low-density residential, small lot) and, pursuant to §34-420 of the City Code, a family day home serving 6 to 12 children is allowed pursuant to a special use permit within that zoning district; and

WHEREAS, the Planning Commission has reviewed this application as required by City Code Sec. 34-160(b), and following a joint public hearing duly advertised and conducted by the Planning Commission and City Council on May 8, 2018, the Planning Commission voted to recommend that Council should approve the requested special use permit, and recommended certain conditions for Council’s consideration; and

WHEREAS, upon consideration of the Planning Commission’s recommendation as well as the factors set forth within Sec. 34-157 of the City’s Zoning Ordinance, the Council finds and determines that granting the requested special use permit, subject to suitable conditions, would serve the public necessity, convenience, general welfare or good zoning practice; now, therefore,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that a special use permit is hereby approved to authorize a family day home within the residence located at 227 Brookwood Drive, subject to the following conditions, exceptions, and/or modifications:

1. The family day home shall serve not more than eight (8) children.
2. The family day home may operate from 7:00 a.m. to 5:30 p.m.
3. The family day home operator shall develop and provide to parents of children cared for in the family day home a safety plan, recommending safety “best practices” for children dropped off and picked up by parents via motor vehicles, and shall review the safety plan with parents on an annual basis.
4. The day home operator shall: (i) obtain, and shall maintain during all times the family day home is operating, any license required by the Commonwealth of Virginia, and (ii) comply with any other applicable requirements of state law or regulations.

i. RESOLUTION: Cville Sabroso Festival Funding Request - \$2,400

[Cville Sabroso Festival Funding Request](#)

RESOLUTION

Cville Sabroso Festival Funding Request \$2,400

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$2,400 is hereby paid from currently appropriated funds in the Community Arts and Festival account in the General Fund to Sin Barreras-Without Barriers, Inc. in support of the Cville Sabroso Festival.

\$2,400

Fund: 105

Cost Center: 9753005000

j. RESOLUTION: V.D.O.T. Recreational Access Funding - McIntire Park Bridge

[McIntire Park Bridge](#)

City of Charlottesville RESOLUTION VDOT Recreational Access Project Endorsement

k. ORDINANCE: Homeowner Tax Relief Grant Program - 2018 (2nd reading)

[Homeowner Tax Relief Grant Program](#)

AN ORDINANCE TO ESTABLISH A GRANT PROGRAM TO PROMOTE AND PRESERVE HOMEOWNERSHIP BY LOW- AND MODERATE-INCOME PERSONS WITHIN THE CITY OF CHARLOTTESVILLE

l. ORDINANCE: Proposed Conveyance of a portion of Water Street Right-of-Way for Charlottesville Technology Center at 230 West Main Street (2nd reading)

[Water Street Right-of-Way](#)

AN ORDINANCE TO ESTABLISH A GRANT PROGRAM TO PROMOTE AND PRESERVE HOMEOWNERSHIP BY LOW- AND MODERATE-INCOME PERSONS WITHIN THE CITY OF CHARLOTTESVILLE

m. ORDINANCE: Sprint Franchise Renewal (2nd reading)

[Sprint Franchise Renewal](#)

AN ORDINANCE GRANTING A TELECOMMUNICATIONS FRANCHISE TO SPRINT COMMUNICATIONS COMPANY OF VIRGINIA, INC., 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

Mr. Signer said he applauds Mr. Bellamy's efforts to secure internet installation for CRHA. However, he said he would have liked to make sure that if Ting was acquired, the subsequent company would have to fulfill the contract. He also wanted confirmation that HUD accepted only one bid from Ting for this contract. Lastly, he said he would like to know about the cost basis. He met with the representatives a couple of years ago and at the time it was \$200

for the installation and now it is \$400 for the installation. Mr. Signer believes that this is a great program and that many organizations go through a rigorous process for funds and he wants to make sure that with requests such as this that it meets the same standards.

Ms. Galvin said CRHA has an independent governing body that makes decisions. She acknowledged that CRHA approved a resolution in April showing their support for this direction; they are responsible for determining how the money Council allocates is spent.

Ms. Walker said it is not true that we give organizations money with no follow-through. There is normally a contract or a clear overview of how funds are intended to be spent, and she requested this information as well.

Mr. Bellamy said Council cannot continue to insert themselves in instances where intentional separation is in place.

Mr. Bellamy committed to quarterly reporting on this project.

Ms. Robertson explained an addition to the Homeowner Tax Relief Grant that was proposed by the Commissioner of the Revenue in response to an inquiry from Ms. Walker, which is as follows:

(c)The amount of each grant made pursuant to this ordinance shall be \$1,000 for taxpayers with a household income of \$0-20,000, \$750 for taxpayers with a household income of \$20,001-\$35,000, and \$500 for taxpayers with a household income from \$35,001-\$50,000, to be applied against the amount of the real estate tax bill due on December 5, 2018. Any remaining grant amount in excess of what is owed on the taxpayer's second half bill, but not to exceed the entire annual tax due, shall be remitted to the taxpayer (underline the following:) __ or applied to any delinquent amount on the first half real estate tax bill.

On motion by Ms. Hill, seconded by Mr. Bellamy, Council voted to amend the first reading of the CHAP ordinance to reflect the revised language. (Ayes: Mr. Bellamy, Ms. Galvin, Ms. Hill, Mr. Signer, Ms. Walker; Noes: None)

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

PUBLIC HEARING / ORDINANCE: CLOSE PORTION OF DICE STREET (CARRIED)

Close portion of Dice Street

Ms. Robertson presented to Council and answered clarifying questions.

On motion, the public hearing was opened.

Mr. Richard Shackford, Crescent Halls, reviewed the history of this alley with Council. He asked Councilors to speak to people who were born and raised in Charlottesville.

Mr. Peter Krebs, Tufton Ave., on behalf of Piedmont Environmental Council on Water St., said the alley situation in Charlottesville is extraordinarily confusing. He said an alley is a public resource in and of itself. He asked the City to make careful consideration before yielding rights-of-way.

Pastor William Ward, Pastor at Bethel Church of Christ, thanked Ms. Robertson for explaining the church's position. He said the church has maintained this area for 40 years, and there has been no activity in the area aside from church activity. He asked for permission to be granted the space to connect the church's two buildings.

Having no further speakers, the public hearing was closed.

Ms. Walker clarified that the church wants this space to build in.

Ms. Galvin asked if building plans have been submitted. She said this is essentially creating one large parcel. Ms. Walker asked for clarification on this item versus Castalia Street from the May 21 agenda.

Ms. Hill moved the ordinance; Mr. Bellamy seconded the motion.

Ms. Hill explained why she supports this request. Ms. Walker clarified that the City has not been maintaining this area. Ms. Galvin said the City needs to have a larger conversation about alleyways and how the City can leverage them to create more affordable housing. She said she cannot support this request. Ms. Walker said she is in favor of granting this, especially since the church has been maintaining it for the past 40 years.

PUBLIC HEARING / ORDINANCE: UTILITY RATE REPORT (CARRIED)

[Utility Rate Report](#)

Ms. Lauren Hildebrand, Director of Utilities, and Mr. Chris Cullinan, Director of Finance, presented to Council and answered clarifying questions.

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

Ms. Galvin explained recent projects from Rivanna. Ms. Walker said she would like to see UVA be brought to 100% by next year instead of in three years. She highlighted resources available to people who have trouble paying. Councilors also discussed equity in bill increases according to pipe size.

On motion by Ms. Hill, seconded by Ms. Galvin, the ordinance carried.

RESOLUTION: South Rivanna Reservoir to Ragged Mountain Reservoir Water Line Project

[South Rivanna Reservoir to Ragged Mountain Reservoir Water Line Project](#)

Mr. Bill Mawyer, Executive Director of Rivanna Water and Sewer Authority, presented to Council and answered clarifying questions.

Ms. Galvin moved that the resolution be adopted; Mr. Signer seconded the resolution. The resolution passed. (Ayes: Mr. Bellamy, Ms. Galvin, Ms. Hill, Mr. Signer, Ms. Walker; Noes: None)

RESOLUTION

ADOPTING TIMELINES FOR THE SOUTH RIVANNA RESERVOIR WATER LINE PROJECT AND FOR INCREASING THE WATER LEVEL OF RAGGED MOUNTAIN RESERVOIR

WHEREAS, A Community Water Supply Plan was completed and approved in 2012, which required the Rivanna Water and Sewer Authority (RWSA) to construct and operate a new earthen dam at the Ragged Mountain Reservoir, a waterline from the South Rivanna Reservoir to the Ragged Mountain Reservoir and modifications to raise the Ragged Mountain Reservoir water level an additional twelve feet when community water demand equals 85% of the available water capacity; and,

WHEREAS, the waterline will be a 9-mile, 36-inch diameter pipe with the capacity to transfer (both directions) untreated water between the South Fork and Ragged Mountain Reservoirs; and,

WHEREAS, by connecting the South Rivanna and the Ragged Mountain Reservoirs with a water line, the system will be capable of providing drinking water to the urban area from multiple water treatment facilities, and,

WHEREAS, completion of the water line and raising the water level at the dam will provide an adequate water supply for the community for at least 50 years; and,

WHEREAS, RWSA has presented four options regarding the timing of the final design and construction of the waterline project: Option A: 2022-2030; Option B: 2027-2035; Option C: 2032-2040; and Option D: 2042-2050; and,

NOW THEREFORE BE IT RESOLVED, Options B and C are the most favorable timelines for the South Rivanna Reservoir to Ragged Mountain Reservoir Water Line Project and that Options A and D should be eliminated.

ADOPTED by the Charlottesville City Council on this ____ day of _____, 2018.

APPROPRIATION: CHARLOTTESVILLE AFFORDABLE HOUSING FUND (CAHF) ASSISTANCE FOR THE PIEDMONT HOUSING ALLIANCE (PHA) DOWN PAYMENT ASSISTANCE PROGRAM - \$186,125 (CARRIED)

[CAHF Assistance for the Piedmont Housing Alliance \(PHA\) Down Payment Assistance Program](#)

Ms. Stacy Pethia, Housing Program Coordinator, presented to Council and answered clarifying questions. Ms. Shelley Murphy, Director of Program Services at Piedmont Housing Alliance, was also present.

On motion by Mr. Bellamy, seconded by Ms. Hill, the appropriation carried.

OTHER BUSINESS

Ms. Hill commended staff who provided our region support during the latest severe weather event, and our thoughts are with those who were directly impacted by these events.

MATTERS BY THE PUBLIC

Mr. Brenton Hassler, City resident, said the proposed water line goes right by Albemarle High School, which will affect the teaching environment. He said the route taking the pipeline behind Albemarle High school should be reconsidered.

Ms. Galvin said she will follow up on this matter with Rivanna.

The meeting was adjourned at 10:19 p.m.