

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, June 18, 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 18, 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)(1) for discussion and consideration of prospective candidates for employment as city attorney; 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.

PROCLAMATIONS

Ms. Hill read a proclamation recognizing World Refugee Day; Ms. Harriet Kuhr from the International Rescue Committee was present to accept and thanked the City for their support.

Mr. Bellamy made announcements about upcoming community events, including the Charlottesville Back to School Bash on August 18 and a community cookout at Tonsler Park.

CITY MANAGER RESPONSE TO COMMUNITY MATTERS

Ms. Walker invited Ms. Beauregard, Assistant City Manager, to provide the City Manager's response to Community Matters. Ms. Beauregard provided an update on the public process for the Rivanna proposed water line and route options near the Albemarle High School. She also gave information about closures for the Downtown Mall pedestrian crossings at 4th Street and 2nd Street. She invited Ms. Robertson, Acting City Attorney, to update the community regarding the development at Belmont Point and an application for blasting in the area. Councilors supported entertaining an ordinance regarding blasting in the City on their July 2 agenda.

BOARDS AND COMMISSIONS

On motion by Ms. Hill, seconded by Ms. Galvin, the following appointments were made to Boards and Commissions: to the CRHA, Betsy Roetger, Carolyn Slaughter; to the Youth Council: Niharika Pathak (Ayes: Mr. Bellamy, Ms. Galvin, Ms. Hill, Mr. Signer, Ms. Walker; Noes: None)

COMMUNITY MATTERS

Ms. Elliott Brown conceded her time to Ms. Katrina Turner, City resident. Ms. Turner read a letter on behalf of the Police Civilian Review Board members regarding Ms. Rosia Parker and Mr. Jeff Fogel not being appointed to the board, as well as representation of low-income communities. Ms. Gloria Beard and Mr. Don Gathers stood with her. She also objected to Ms. Hill's calls encouraging appointees not to resign. She called for more definitive parameters for the board's work and asked that the board be granted substantial authority. She asked for a response at the July 2 Council meeting.

Ms. Galvin thanked members of the review board and said she will work with her colleagues to respond to their request for direction. She said the only way to gauge low-income representation is by asking members to state their income.

Ms. Walker said Council could respond regarding the low income position by the next meeting. She said she does not believe it is Council's role to provide further parameters, and that instead Council should trust the work of the board.

Mr. Bellamy said if the board is free to draft updated bylaws and bring them to Council in the interim before final approval of the bylaws.

Mr. Signer said we would be unduly constraining the board if we provided additional parameters. The members of the CRB will provide their recommendation on who the members should be and what their authority is.

Mr. Brendan Hassler, County resident, spoke against the sentence for Corey Long and the arrests made as a result of the protests on June 8.

Mr. Signer said Councilors have no role or authority in operational policing.

Mr. Hassler said that Council has power simply by being an elected official. You lose nothing by deploring actions.

Ms. Walker said she understands where the community is coming from. Council needs to set the tone for how we move forward and what will happen from this day on. She said the City would aim to have consistency with their response instead of the community feeling they have to battle.

Mr. Bellamy reminded the community that Council has asked for an update regarding next steps with Del. Toscano's office regarding a strong mayor.

Mr. Don Gathers, City resident, said those arrested were charged with what amounts to jaywalking. He said the community needs a response as to why this happened and assurance that it will never happen again. Please begin the process to enact legislation to bar handguns in Council meetings. He called for the Monticello Dairy Project to be rejected due to lack of meeting affordable housing needs. He called for two additional members to the CRB. He asked what the City has planned for August 12 of this year. He called for an end to the pledge of allegiance at the start of Council meetings.

Mr. Bellamy explained Council's actions requesting proposed legislation to the General Assembly regarding gun control and barring weapons in public spaces. Mr. Gathers asked that the request be made specifically for Council Chambers. Ms. Walker said we will announce when we are going this year to gather support.

Ms. Galvin asked for an update on community meetings regarding August 12. Mr. Wheeler described efforts to date, including meetings with congregations, businesses, and community members. He directed the community to www.charlottesville.org/resilientville for updated information.

Mr. David Katz, Druid Ave., addressed Council regarding concerns about the plans to blast rock at a Belmont construction site. He asked that the permit be delayed until a public hearing and thorough analysis can be conducted. He discussed issues regarding lack of notification to adjacent residents and owners, rejection of requests for copies of reports and records regarding blasting operations, and drastic revisions to the approved PUD.

Mr. Bellamy asked if Fire Marshall Jay Davis could respond to some of the questions brought forward. Fire Marshall Davis addressed the residents.

Ms. Pat Napoleon, Lyons Ave., said she is speaking on behalf of RISE Charlottesville regarding a petition to recall Councilors Bellamy, Galvin and Signer from office.

Mr. Bellamy said he objected to Ms. Napoleon's claim that August 12 was the worst thing that has happened in Charlottesville, given the history of slavery and racism.

Mr. William Atwood said the City needs to take a hard look at zoning. Housing is not a zoning category; it is an absolute goal. The scapegoat of land costing too much is an old joke. He called for doing away with affordable housing funds; people need to be in every project, everywhere.

Ms. Donna Tietjan, Albemarle County, said the Council / Manager, "weak mayor" form of government cannot move the City in the direction we want to go. She called for a strong mayor ballot initiative to be brought to the people for a special election.

Ms. Sharron Sinclair, City resident, said the housing needs assessment confirms what we already know, that there is not enough housing available to low income residents in the City. She said the City cannot turn its attention fully towards affordable rentals; homeownership is an important step to providing equity. She said she would not be able to own a home if it were not for Habitat for Humanity.

Mr. Ben Dougherty spoke against Judge Moore's recent decision in the statue case and said there is little legal support for his decisions. He said the City needs to set itself up for fighting an appeal at the Virginia Supreme Court and encouraged them to accept pro bono legal assistance. He said the current legal team only has a goal of keeping expense down.

Mr. Peter Lovegrove, Palatine Ave., Belmont resident, read a statement from James Kelley, a Belmont resident, who also lives within 500 feet of the blast zone. He reviewed a list of what should take place before the blasting permit is considered.

Ms. Annie Stupp said the Housing Needs Assessment report suggests housing solutions that perpetuate the wealth gap. She ceded the remainder of her time to Mr. Dan Rosensweig, Lexington Ave. He said patterns of segregation in this town are not de facto. Much of the City is covered by racial deed restrictions dating back decades. Federal housing policy eliminated African Americans from homeownership. Please continue to invest in and prioritize home ownership.

Ms. Emily Dreyfus, on behalf of CLIHC, said her group unsuccessfully worked with NDS to try to expand the scope of the Needs Assessment. CLIHC is finishing a report about the impacts of lack of affordable housing and may be found on their website, at www.affordablehousingcville.org.

Ms. Lora Horne, 202 Douglas Ave., said Riverbend Development has a plan to build in downtown Belmont, generating hundreds of additional car trips per day. She said a land swap can be done by city Council, and she asked Council to assure the residents that they will not approve a land swap with Riverbend to increase density.

Ms. Hill asked for clarification on the status of the development. Ms. Robertson said the developers have not approached the City lately about a land swap.

Ms. Galvin asked that the City make any land swap conditioned on community engagement. Ms. Robertson said terms can be made for any negotiation.

Mr. Luis Oyola, City resident, said the City did very little with information provided last year regarding the events of August 12. He said there is a poll on Facebook regarding whether the "Atomwaffen Waffen Division" should do security for August 12 Unite the Right rally anniversary. He called out a comment on page 13, which was made by Dave Shine regarding plans for the rally anniversary.

Mr. Bellamy and Mr. Signer thanked Mr. Oyola for bringing this forward. Ms. Galvin asked for follow-up from the police department.

Mr. Jeff Synder, City resident, spoke against the proposed blasting at Belmont. He asked for sewer, water and gas to get involved, as well as the City's Assessor's office. He said VDOT should also be present, as this will effect Route 20, which sits on this same vein of rock.

Mr. Signer said Mr. David RePass has also suggested avenues for adjusting the City governance system, including a directly elected mayor. In addition, powers of Council and the mayor could be expanded to have more control over certain staff positions.

Ms. Walker called for a recess at 8:12 p.m. and reconvened at 8:35 p.m.

CONSENT AGENDA:

a. Minutes for June 4, 2018

b. APPROPRIATION: Charlottesville Affordable Housing Fund (CAHF) Assistance for the Piedmont Housing Alliance (PHA) Down Payment Assistance Program - \$186,125 (2nd reading)

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$186,125 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund to the Piedmont Housing Alliance for the purpose of providing down payment assistance in the following manner:

Fund: 426	Project: CP-084	G/L Account: 599999
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Piedmont Housing Alliance	\$186,125
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c. APPROPRIATION: Supplemental funding from Charlottesville City Schools for the Charlottesville High School Fieldhouse Renovation Project - \$121,775.00 (2nd reading)

[Charlottesville High School Fieldhouse Renovation Project](#)

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that \$121,775.00 is to be appropriated in the following manner:

Revenues

\$121,775.00 Fund: 426 WBS: SH-018 G/L Account: 432085

Expenditures

\$121,775.00 Fund: 426 WBS: SH-018 G/L Account: 599999

d. APPROPRIATION: Grant for Construction of Rugby Avenue Trail - \$396,450 (2nd reading)

[Construction of Rugby Avenue Trail](#)

WHEREAS, the City of Charlottesville, through Parks and Recreation, has been awarded \$317,160 from the Virginia Department of Transportation to construct a bicycle and pedestrian trail along Rugby Avenue; and

WHEREAS, the City will match this grant in the amount of \$79,290 from the BikePed fund CP-083.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$396,450 is hereby appropriated in the following manner:

Revenue

\$317,160 Fund: 426 WBS: P-00977 G/L Account: 430120

Expenditures

\$317,160 Fund: 426 WBS: P-00977 G/L Account: 599999

Transfer From

\$79,290 Fund: 426 WBS: CP-083 G/L Account: 599999

Transfer To

\$79,290 Fund: 426 WBS: P-00977 G/L Account: 599999

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$317,160 from the Virginia Department of Transportation.

e. APPROPRIATION: Fire Equipment Overpayment Reimbursement - \$18,712.50 (2nd reading)

[Fire Equipment Overpayment Reimbursement](#)

WHEREAS, Phillips Medical Equipment has refunded \$18,712.50 to the Fire Department for monies overpaid for medical equipment in FY10;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that a total of \$18,712.50 be appropriated in the following manner:

Revenues -\$18,712.50
\$18,712.50 Fund: 426 P: 00976 G/L Account: 451999

Expenditures - \$18,712.50
\$18,712.50 Fund: 426 P: 00976 G/L Account: 451999

f. APPROPRIATION: Charlottesville Affordable Housing Fund for repayment of Substantial Rehab loan - \$24,000.00 (2nd reading)

[CAHF for repayment of Substantial Rehab loan - \\$24,000.00](#)

WHEREAS, the City of Charlottesville has received funding from the payoff of the Anthony Paul Trace Deed of Trust (\$24,000.00);

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$24,000.00 be appropriated as follows:

Revenues:
\$24,000.00 Fund: 426 Project: CP-084 G/L Code: 434675

Expenditures:
\$24,000.00 Fund: 426 Project: CP-084 G/L Code: 599999

g. APPROPRIATION: Charlottesville Affordable Housing Fund for repayment of Substantial Rehab loan - \$30,113.28 (Carried)

[CAHF for repayment of Substantial Rehab loan](#)

h. APPROPRIATION: Albemarle County Funds to the City's Workforce Investment Fund for Non-City Resident Workforce Development Training (GO Driver) - \$4,432.50 (Carried)

[Albemarle County Funds to the GO Driver Program](#)

i. APPROPRIATION: 2018-2019 Community Development Block Grant - \$409,708.49 (Carried)

[2018-2019 Community Development Block Grant](#)

j. APPROPRIATION: 2018-2019 HOME Funds - \$125,966.49 (Carried)

[2018-2019 HOME Funds](#)

k. APPROPRIATION: Virginia Department of Education Special Nutrition Program Summer Food Service Program - \$90,000 (Carried)

[Special Nutrition Program Summer Food Service Program](#)

l. APPROPRIATION: Human Services Fund Balance for FY 2018 Expenses - \$500,000 (Carried)

[Human Services Fund Balance](#)

m. RESOLUTION: LEAP Program Support Agreement

[LEAP Program Support Agreement](#)

RESOLUTION 2018 Climate Protection Program Support Grant \$ 50,000

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$50,000 is hereby paid to LEAP from currently appropriated funds in the Gas Fund, Environmental Sustainability Cost Center as follows:

\$50,000 Fund: 631 Cost Center: 2711001000 G/L Account: 599999

n. RESOLUTION: Identifying "Authorized Official" for Medicare Applications Related to EMS Billing

[Medicare Applications](#)

RESOLUTION

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that the City Manager is hereby authorized to sign the following document, attached hereto, in form approved by the City Attorney or his designee.

Memorandum of Understanding (MOU) between the City and the Local Energy Alliance Program (LEAP) for grant funds to support the Climate Protection Program and promote energy performance improvements.

o. RESOLUTION: RSWA/Albemarle County/City Local Government Support Agreement for Recycling Programs

[Agreement for Recycling Programs](#)

MEMORANDUM OF UNDERSTANDING 2018 CLIMATE PROTECTION PROGRAM SUPPORT

p. ORDINANCE: Close portion of Alley off Dice Street (2nd reading)

[Close portion of Alley off Dice Street](#)

AN ORDINANCE CLOSING, VACATING AND DISCONTINUING A PORTION OF A 12' WIDE ALLEY OFF DICE STREET NEAR 7TH STREET, S.W.

q. ORDINANCE: Establishing FY 2019 Utility Rates (2nd reading)

[FY 2019 Utility Rates](#)

AN ORDINANCE AMENDING AND REORDAINING CHAPTER 31 (UTILITIES) OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED, TO ESTABLISH NEW UTILITY RATES AND SERVICE FEES FOR CITY GAS, WATER AND SANITARY SEWER.

Ms. Galvin commented on item p. regarding closing a portion of an alley off Dice Street. She reminded Council that an amendment of the street closing policy will be placed on a future agenda, and she does support this alley closing because of the work that has been put in and the support of the surrounding parcels.

Ms. Walker disclosed that she has been a beneficiary of the Affordable Housing Fund. She said we need to make sure we are using funds to increase home ownership in the community. She said the City needs to look at adjusting the policy and strategy moving forward.

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

PUBLIC HEARING / ORDINANCE: EASEMENT TO CENTURY LINK AT SUGAR HOLLOW RESERVOIR (carried)

[Easement to Century Link at Sugar Hollow Reservoir](#)

Mr. Brian Daly, Parks and Recreation Director, presented to Council on the request for easement at Sugar Hollow Reservoir.

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

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

PUBLIC HEARING / RESOLUTION: LEAP LEASE RENEWAL AT 608 RIDGE STREET

[LEAP Lease Renewal](#)

Ms. Stacy Pethia, Housing Program Coordinator, presented to Council on the LEAP lease renewal request for 608 Ridge Street and answered clarifying questions, including future plans for LEAP.

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

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

RESOLUTION TO AUTHORIZE THE LEASE OF CITY OWNED LAND AT 608 RIDGE STREET TO LOCAL ENERGY ALLIANCE PROGRAM (LEAP)

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that the City Manager is hereby authorized to sign the following document, in form approved by the City Attorney or his designee:

Lease Agreement dated July 1, 2018 between the City of Charlottesville and the Local Energy Alliance Program (LEAP) for the property located at 608 Ridge Street.

REPORT: HOUSING NEEDS ASSESSMENT & BONUS HEIGHT/AFFORDABLE HOUSING FINANCIAL ANALYSIS

[Housing Needs Assessment & Bonus Height/Affordable Housing Financial Analysis](#)

Ms. Stacy Pethia, Housing Program Coordinator, presented to Council. She introduced Ms. Anita Morrison, Founding Principal of Partners for Economic Solutions (PES), presented to Council.

Ms. Walker shared her thoughts and said we have to require that we undo what has been done historically in order to fix this long-standing problem. Councilors engaged in a discussion about how to approach affordable housing in the City.

REPORT: SPCA ANNUAL REPORT

[SPCA Annual Report](#)

Executive Director Angie Gunter presented the SPCA annual report to Council.

RESOLUTION: FUND TRANSFER FROM CIP CONTINGENCY ACCOUNT TO COVENANT SCHOOL SIDEWALK PROJECT ACCOUNT - \$325,000

[Covenant School Sidewalk Project](#)

Mr. Ikefuna, NDS Director, presented to Council an answered clarifying questions. On motion by Ms. Hill, seconded by Ms. Galvin, the resolution passed. (Ayes: Mr. Bellamy, Ms. Galvin, Ms. Hill, Mr. Signer, Ms. Walker; Noes: None)

RESOLUTION

Fund Transfer from CIP Contingency Reserve Account to Covenant School Sidewalk Account
\$325,000

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the following is hereby transferred in the following manner:

Transfer From
\$325,000 Fund: 426 WBS: CP-080 G/L Account: 599999

Transfer To
\$325,000 Fund: 426 WBS: P-00975 G/L Account: 599999

ORDINANCE: CHARLOTTESVILLE-ALBEMARLE CONVENTION AND VISITORS' BUREAU AGREEMENT (Carried)

[CACVB Agreement](#)

Ms. Beauregard, Assistant City Manager, presented to Council and answered clarifying questions. Staff requested Council to waive the requirement for a second reading so that this may be put into effect as of July 1, 2018.

On motion by Mr. Signer, seconded by Ms. Galvin, the ordinance passed on a 4/5ths vote as required. (Ayes: Mr. Bellamy, Ms. Galvin, Ms. Hill, Mr. Signer, Ms. Walker; Noes: None)

AN ORDINANCE TO ADOPT AND APPROVE AN AGREEMENT TO OPERATE A JOINT CONVENTION AND VISITORS' BUREAU BETWEEN THE COUNTY OF ALBEMARLE, VIRGINIA AND THE CITY OF CHARLOTTESVILLE, VIRGINIA FOR THE JOINT FUNDING AND OPERATION OF THE CHARLOTTESVILLE-ALBEMARLE CONVENTION AND VISITORS' BUREAU

OTHER BUSINESS

Ms. Galvin asked Council to discuss the work session schedule for the next several months. Mr. Signer suggested a five-hour retreat to address several of these items in one session. Mr. Bellamy called for a mini-retreat solely focused on housing. Mr. Signer called for defined decision points. Ms. Walker asked to add a work session on being a Second Chance City. Mr. Signer said the County does work session meetings during the days and asked the Council to consider the same model. He recommended creating a schedule with daytime options for two multi-topic work sessions and one work session on housing. Ms. Walker said Council needs to ensure invited groups have time to make plans to attend. Ms. Galvin asked that Council adopted a work session calendar at the July 2 meeting.

MATTERS BY THE PUBLIC

Mr. Brad Slocum, City resident, addressed Council about the water line presentation from the June 4 Council meeting. He urged Council to consider the earlier timeline to address potential concerns about water security for our area. We must also consider the possibility of receiving weather refugees from other parts of the state.

Mr. Brandon Collins, City resident, said PHAR is relieved that Council actually has numbers in front of them regarding affordable housing. He said the report says incentives from project developments are worthless. He discussed options for providing additional affordable housing units in the City and redevelopment plans for CRHA. He called for transformation of the CRHA.

Mr. Bellamy said Council has been supportive of the CRHA. Mr. Collins called for Council to consider bond options. Mr. Signer said we should examine what this would look like, if only as a thought experiment. Ms. Galvin said the housing discussion needs to occur before the CIP work session, in that case. Ms. Galvin said Council has not received a specific ask for supporting the operations of the Housing Authority.

Mr. Michael Payne said the housing assessment was positive and should serve as a wake-up call. The City does not currently have the tools it needs to meet housing needs, largely because of the Dillon Rule and by-right development. The City has to change code to make a big difference. He cautioned against more market-rate housing. The conversation needs to be centered on permanent affordability, not stopgap measures.

Meeting was adjourned at 11:03 p.m.