

## **NOTICE OF SPECIAL MEETING**

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, July 16, 2018, AT 2:45 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 – July 16, 2018**

Council met in special session on this date with the following members present: Ms. Galvin, Dr. Bellamy, Ms. Hill. On motion by Ms. Hill, seconded by Dr. Bellamy, Council voted, (Ayes: Ms. Galvin, Ms. Hill, Dr. Bellamy; Noes: None; Absent at time of vote: Mr. Signer, Ms. Walker) to meet in closed session as authorized by Va. Code sec. 2.2-3711 (A)(1), (A)(7) and (A)(8), (A)(3), (A)(19) specifically: 1- for interviews, discussion and consideration of prospective candidates for appointment to the position of Interim City Manager; 2- for discussion of litigation currently pending, to which the City is a party, where consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the City; also for consultation with legal counsel on specific matters relating to the pending litigation; also for discussion of 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. 3- for discussion of the acquisition and/or disposition of publicly held real property located at 7<sup>th</sup> and Market, because discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, and for consultation with legal counsel regarding such matter; 4- for briefings by staff members, legal counsel and law enforcement and emergency service officials, concerning plans for the security of public facilities and persons using such public facilities; and 5- for consultation with legal counsel on any of the above referenced matters.

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

### **COUNCIL CHAMBERS – July 16, 2018**

#### **ROLL CALL**

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

## **PROCLAMATIONS**

Dr. Bellamy read a proclamation in honor of the Boys and Girls Club celebration of service day. He also invited the public to the Annual Back to School Bash on Saturday, August 18 at the Pavilion at 10:30 a.m. He announced Westhaven Community Day on August 4, and the Chiahamaba African American Festival.

## **CITY MANAGER RESPONSE TO COMMUNITY MATTERS & August 12 Planning Update**

Mr. Murphy gave an update on the City's planning for the weekend of August 10-12. He directed the public to [www.charlottesville.org/resilientville](http://www.charlottesville.org/resilientville) for public updates on the planning process. Additional presenters included Chief Brackney of the Charlottesville Police Department; Deputy Chief Grey Jenkins of the Albemarle County Police Department; Capt. Craig Worsham of the Virginia State Police; Gloria Graham, Asst. VP for Safety and Security at UVA; Allison Farole, Emergency Management Coordinator for Albemarle/Charlottesville/UVA; and Chief Baxter of the Charlottesville Fire Department.

## **COMMUNITY MATTERS**

Ms. Heather Walker, 603 Shamrock Rd., distributed a report of the Charlottesville Elections Study Task Force from December 2004. She advocated for the recommendations outlined in the report, including an elected mayor, a mixed ward, and at-large Councilors.

Ms. Sharon Britt, administrator for Mountainside Senior Living in Crozet, presented to Council on the senior center in support of their funding request.

Mr. David Repass discussed democracy in Charlottesville. He spoke in favor of an elected Chief Executive and a Mayor / Council form of government.

Ms. Cathy Butler, 1004 Druid Ave., thanked Council for their quick action on passing the blasting ordinance, to the relief of her neighbors. She requested that Council waive the second reading of the revised ordinance this evening. She ceded the remainder of her time to Mr. James Kelly, Belmont resident. He asked Council to pass the amendments to the blasting ordinance at tonight's meeting.

Ms. Kat Maier said she is concerned that the Belmont neighborhood is under increasing pressure to keep vigil over the eroding of their streets. She spoke against allowing for drive-through establishments in the highway corridor mixed use district.

Ms. Kay Slaughter, 1503 Short 18th St., said Charlottesville may not have a broad pool of candidates for a Mayor/CEO form of government. She said a mayor could be elected at-large with or without a ward system. City residents should have the chance to vote on a change of government, not leave it to public hearings.

Ms. Walker spoke to the issues of representation with either system.

Mr. Harold Folley, Legal Aid, ceded his time to Mr. Jim Shay, City resident. Mr. Shay spoke about the Civilian Review Board (CRB) and warned that the critics of CRB want no scrutiny in order to continue lack of accountability to the public. He warned of potential harassment, threats, and intimidation of CRB members and their families. He asked Council to ensure the CRB is ready and equipped to meet this challenge.

Mr. David Katz, 1012 Druid Ave., spoke in support of voting through the amendments to the blasting ordinance on the consent agenda this evening, with a waiver for the second reading.

Mr. Louis Shultz, 1809 E. Market St., said Council is not legally authorized to change their regular meeting schedule. He called for Council to hold their August 6 meeting.

Ms. Karen Katz thanked Council for their support for the Belmont blasting ordinance.

Ms. Rosia Parker, City resident, said the crosswalks on West Main St., especially in light of the ongoing construction, are a danger to pedestrians. The City's unmarked Dodge Charger police vehicle is a trigger to residents, and she asked that it be taken out of service. She also said Rev. Edwards does not speak for her community. She invited Mr. Wheeler to speak with the larger community regarding the events of August 12.

Ms. Galvin asked Mr. Murphy to address the issue of the crosswalks along West Main. Mr. Murphy said staff will provide an answer this week.

Mr. John Conover, City resident, spoke against the statues and the names of the parks. He said the option of Market Street Park is an inoffensive and safe choice for a name, although it is also confusing because the City Market is actually on Water Street. He called for the park to be named in honor of Gregory Swanson.

Ms. Zoe Krylova said she is still traumatized by the events of last August. She asked to avoid discouraging people from coming downtown on the weekend of August 12. She said police must protect counter-protesters and defend people of color. She called for businesses to remain open in order to allow the community to reclaim our streets.

Mr. Peter Krebs spoke against the ordinance for drive-through windows in highway corridors. He spoke in support of the resolution regarding alleyways and paper streets. The City needs a better policy for alleys so that they can provide access to housing, get parking off the street, improve connectivity, and provide safe places for kids to play.

Mr. Joe Thomas said it is difficult to break through in politics. Ms. Walker and Ms. Hill's election to Council represents the feeling that citizens are not being listened to. He spoke in support of a ward election system. He suggested that Charlottesville may be violating the Voting Rights Act.

Dr. Bellamy suggested that a ward system may exacerbate Councilors feeling as though they do not have to bother with other precincts. Mr. Thomas said you still have to build coalitions amongst your colleagues to address issues.

Ms. Mary Carey, City resident, said she believes special interest groups are getting priority on the speaker list and called for doing away with the lottery system. She said Market Street Park would be fine for a park name, and Mr. Swanson was not local. She said residents in other neighborhoods need assistance as well as Belmont residents.

Ms. Walker called a recess at 8:15 p.m. and called the meeting back to order at 8:42 p.m.

## **CONSENT AGENDA**

### **a. Minutes for July 2, 2018**

### **b. APPROPRIATION: 2018-2019 Safe Routes to School Non-Infrastructure Grant -- \$77,000 (carried)**

[2018-2019 Safe Routes to School Non-Infrastructure Grant](#)

### **c. APPROPRIATION: Virginia Department of Social Services (V.D.S.S.) Employment for Temporary Aid to Needy Families (T.A.N.F.) Participants Grant (1st Renewal) - \$66,667 (carried)**

[Virginia Department of Social Services T.A.N.F. Participants Grant](#)

### **d. RESOLUTION: Review of discretionary funding process for nonprofits**

[Review of discretionary funding process for nonprofits](#)

### **e. RESOLUTION: Authorizing the City Attorney to retain legal counsel**

[Authorizing the City Attorney to retain legal counsel](#)

### **f. RESOLUTION: Delegation of Contracting Authority to Director of Emergency Management**

[Delegation of Contracting Authority to Director of Emergency Management](#)

### **g. ORDINANCE: Parking Modified Zone Amendments (2nd reading)**

[Parking Modified Zone Amendments](#)

**AN ORDINANCE AMENDING THE CITY'S OFFICIAL ZONING MAP TO INCLUDE CERTAIN ADDITIONAL PROPERTIES IN THE PARKING MODIFIED ZONE**

**h. ORDINANCE: Restaurants: Drive-through windows in Highway Corridor Zoning Text Amendment (Deferred to August 20, 2018)**

[Restaurants: Drive-through windows in Highway Corridor Zoning Text Amendment](#)

**i. ORDINANCE: Mixed Use Development Standards Zoning Text Amendment (2nd reading)**

[Mixed Use Development Standards Zoning Text Amendment](#)

**AN ORDINANCE AMENDING AND REORDAINING ARTICLE VI (MIXED USE CORRIDOR DISTRICTS) OF CHAPTER 34 (ZONING) RELATING TO BONUS HEIGHT OR DENSITY IN MIXED USE DISTRICTS**

**j. ORDINANCE: Amended Ordinance Regulating Use of Explosives for Excavation and Demolition Activities (2<sup>nd</sup> reading)**

[Amended Ordinance Regulating Use of Explosives for Excavation and Demolition Activities](#)

**AN ORDINANCE AMENDING AND REORDAINING SECTION 5-208 OF CHAPTER 5 (Building Regulations; Property Maintenance) OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED, REGULATING THE USE OF EXPLOSIVES FOR AND IN CONNECTION WITH EXCAVATION OF LAND OR DEMOLITION OF BUILDINGS OR STRUCTURES**

Ms. Walker asked to pull items d., e., and f. Ms. Galvin asked to state for the record that she is not in support of item h. because it does not meet the standards of review, including the health and welfare of the community.

Ms. Hill said the parking modified zone amendment is a preliminary part of the process, and there will be opportunities for the public to weigh in going forward.

Ms. Hill moved to waive the second reading for item j. regarding the amended ordinance regulating use of explosives. Dr. Bellamy seconded the motion. The motion passed. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Walker, Mr. Signer, Ms. Galvin; Noes: None.)

On motion by Ms. Hill, seconded by Mr. Signer, the consent agenda was moved without items d., e., or f., with Ms. Galvin voting against item h.

Mr. Signer said his rationale for voting in support of item h. still stands, in that he believes there are enough protections provided for the drive-through zoning text amendment.

Ms. Galvin motioned to table the ordinance; Dr. Bellamy seconded the motion. Dr. Bellamy requested that a second reading be tabled until the August 20 meeting. The vote to table the motion passed. (Ayes: Dr. Bellamy, Ms. Galvin, Mr. Signer; Noes: Ms. Hill, Ms. Walker)

The remainder of the consent agenda passed. (Ayes: Dr. Bellamy, Ms. Galvin, Ms. Hill, Mr. Signer, Ms. Walker; Noes: None)

**PUBLIC HEARING /ORDINANCE: RELEASE OF A STORMWATER MANAGEMENT AGREEMENT ACROSS 550 WATER STREET (carried)**

[Release of a Stormwater Management Agreement across 550 Water Street](#)

Ms. Robertson, Acting City Attorney, presented to Council.

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

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

**PUBLIC HEARING /ORDINANCE: CLOSING A PORTION OF THE COLEMAN STREET RIGHT OF WAY (carried)**

[Closing a Portion of the Coleman Street Right of Way](#)

Ms. Robertson introduced the item. Ms. Mandy Burbage, Land Development Coordinator for Habitat for Humanity, presented to Council. Ms. Burbage and Mr. Dan Rosensweig, CEO of Habitat for Humanity, answered clarifying questions for Council.

Ms. Walker clarified that if building code changed, Habitat would work to build additional units on this property.

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

On motion by Ms. Hill, seconded by Dr. Bellamy, the ordinance carried.

**PUBLIC HEARING / ORDINANCE: REGULATION OF SMALL CELL WIRELESS FACILITIES IN PUBLIC RIGHTS OF WAY (carried)**

[Regulation of Small Cell Wireless Facilities](#)

Ms. Robertson presented to Council.

Ms. Lori Schweller, Attorney with LeClair Ryan, presented to Council on behalf of Verizon Wireless.

On motion, the public hearing was opened.

Mr. Rolf Braun, 1120 E. High St., said this seems like a give-away from the state to the wireless companies. He said some exceptions were not included in the ordinance.

Ms. Kay Slaughter, City resident, said you will hear complaints from people on this, especially regarding historic properties. Please include safeguards of our historic districts to the extent possible when reviewing the ordinance.

Mr. Rory Stolzenburg, 107 W. Water St., said Council should pass this ordinance to reduce the barriers to providing wireless infrastructure in the City. Please encourage the roll-out of 5G in Charlottesville.

Having no further speakers, the public hearing was closed.

On motion by Mr. Signer, seconded by Ms. Galvin, the ordinance carried.

### **RESOLUTION: EMANCIPATION PARK AND JUSTICE PARK RENAMING**

#### **[Emancipation Park and Justice Park Renaming](#)**

Mr. Brian Wheeler, Director of Communications, presented to Council.

Ms. Walker said she would have preferred a more meaningful process in regards to the names that were provided. Dr. Bellamy said he agreed and said this reflects the community's desire to make the easy and safe choice. Mr. Signer said he wants to make sure we examine other naming opportunities around the City. Ms. Galvin said the City may wish to rename the parks again at a future date, but for now, we are still grappling with the statues in the park.

Ms. Hill moved to rename Emancipation Park to Market Street Park and Justice Park to Court Square Park. Ms. Galvin seconded the motion. The resolution passed. (Ayes: Ms. Galvin, Ms. Hill, Mr. Signer, Ms. Walker; Noes: Dr. Bellamy)

### **A RESOLUTION CHANGING THE NAME(S) OF EMANCIPATION PARK and JUSTICE PARK TO MARKET STREET PARK and COURT SQUARE PARK, RESPECTIVLY**

**WHEREAS** City Council voted on June 5, 2017, to re-name Lee Park to Emancipation Park and Jackson Park to Justice Park; and

**WHEREAS** in December 2017 City Council received a petition requesting the City reconsider its decision to change the name of Lee Park to Emancipation Park; and

**WHEREAS** City Council held a public hearing on February 20, 2018 and directed staff to conduct a new round of community engagement to collect feedback on the names for both parks and specified that the names Lee Park, Jackson Park and Emancipation Park were not to be considered; and

**WHEREAS** City staff collected more than 7,500 votes during March 2018 on park naming preferences via paper, an online survey, voicemail line and email ballots; and

**WHEREAS** on April 16, 2018, City Council directed staff to conduct a final round of community engagement to collect feedback on names for each park ensuring that responses to surveys were collected only from City residents; and

**WHEREAS** a clear majority of votes showed support for changing the name of Emancipation Park to Market Street Park, and Justice Park to Court Square Park;

**NOW THEREFORE, BE IT RESOLVED** that the City of Charlottesville hereby changes the name of Emancipation Park to Market Street Park, and will change the name of Justice Park to Court Square Park.

**REPORT: TRANSITION TO THE MAYOR-COUNCIL FORM OF GOVERNMENT: A PRELIMINARY ANALYSIS**

[Transition to the Mayor-Council Form of Government](#)

Ms. Robertson introduced the item to Council. Mr. Sebastian Waisman, Assistant City Attorney, authored the memo and was also present. Council discussed the matter, including options and accompanying timelines. Ms. Robertson recommended meeting with Del. Toscano and Sen. Deeds to discuss how to move forward, including their expectations for a public engagement process.

Dr. Bellamy said he supports exploring different options, including a strong mayor. Ms. Hill said she supports exploring a ward system. Ms. Walker said many of the changes Council seeks could be addressed by who they hire as City Manager. Mr. Signer recommended that Council change the reporting structure so that the City Attorney reports directly to the Council, and not to the City Manager. He said he favors a stronger mayor with veto power. He called for public engagement. Ms. Galvin said this is a good debate to have, but she fears this may distract from Council's job to find an excellent City Manager.

Council agreed on holding a work session in September to discuss an elected mayor and a ward system. They called for extensive public engagement on this matter as well.

Ms. Walker asked that the public remove her from the thought process regarding who would be in the elected mayor position, because she will not always be in the mayor position.

Ms. Walker called for a brief recess at 10:25 p.m. and reconvened the meeting at 10:39 p.m.

**RESOLUTION: BELMONT BRIDGE REPLACEMENT PROJECT - APPROVING DESIGN PUBLIC HEARING**

[Belmont Bridge Replacement Project](#)



Ms. Jeanette Janiczek, UCI (Urban Construction Initiative) Program Manager, presented to Council.

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

## **BELMONT BRIDGE REPLACEMENT PROJECT DESIGN PUBLIC HEARING APPROVAL RESOLUTION**

### **APPROPRIATION: MOUNTAINSIDE FUNDING REQUEST FOR MEMORY CARE UNIT - \$50,000 (carried)**

#### [Mountainside Funding Request for Memory Care Unit](#)

Dr. Stacy Pethia, Housing Program Coordinator, presented to Council and answered clarifying questions.

Ms. Galvin said the City needs to discuss reciprocity with the County, where contributions are also being made to City facilities that serve County residents.

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

### **RESOLUTION: POLICY ON PUBLIC ROW FOR PAPER STREETS AND ALLEYWAYS**

#### [Policy on Public ROW for Paper Streets and Alleyways](#)

Mr. Alexander Ikefuna, NDS Director, presented to Council.

Ms. Galvin moved to adopt the resolution with an amendment naming February 2019 as a completion date instead of December 2018, per staff's recommendation. Ms. Hill seconded the motion.

Ms. Robertson asked Council for leeway to provide a recommendation for how staff will research existing alleyways, as this component will potentially require extensive staff research. Ms. Galvin agreed to allow for a strategic inventory by staff.

Ms. Robertson clarified that Council will still accept applications for alleyways, but they should come forward to City Council for deliberation and a vote.

Council voted to pass the resolution. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Walker, Mr. Signer, Ms. Galvin; Noes: None.)

## **RESOLUTION To develop new policy on the public right of way (ROW) as it pertains to alleys, local and "paper" streets**

**Whereas**, the Charlottesville Streets that Work (STW) Plan identified that frequency and steep cross slopes of driveways can make walking along the street challenging (and sometimes unusable), particularly for pedestrians who are sight impaired, using a wheelchair or pushing strollers; and

**Whereas**, the National Association of City Transportation Officials' (NACTO) Urban Street Design Guide (referenced in the STW Plan) states that alleys provide direct property access and eliminate the need for driveways along main roads where people are walking and biking; and

**Whereas**, Charlottesville City Council's September 6, 2016 work plan resolution, specifically called for the "*Review and update of the Standards and Design manual (SADM) so it will align with the STW Plan and address zoning ordinance issues that relate to the inclusion of new streets and alleys such as block sizes, curb cuts, green infrastructure strategies, others.*"

**Be it Resolved**, that the Charlottesville City Council shall hear all applications to vacate alleys in general, as they may serve a public interest, until such time as a new policy is developed; and

**Be it Further Resolved**, that the Charlottesville City Council directs the PLACE Design Task Force, legal counsel, staff and City consultant to revise and create policies and procedures for the vacation, preservation and creation of the public right of way (ROW) as it pertains to alleys, local and "paper" streets including but not limited to the:

- definition, metrics, purpose and strategic inventory of alleys, local and "paper" streets (both public and private);
  - retention, reacquiring and reactivation for public use of existing alleys, local and "paper" streets;
  - design with construction standards of new public alleys, within a block network;
  - determination of when the vacation of existing alleys, local and paper streets may be warranted;
- and
- incorporation into other important City documents, such as the Standards and Design Manual (SADM), and other City Council policies and procedures for the vacation, closing and abandonment of streets and alleys.

**Be it Further Resolved**, that the PLACE Design Task Force, legal counsel, staff and City consultant will submit draft policies and procedures for the vacation and preservation of the public right of way (ROW) as it pertains to alleys and "paper" streets for City Council review and adoption, within 6 months of the adoption of this resolution on February 2019, whichever is sooner.

**ORDINANCE: AMENDING CITY'S SPECIAL EVENTS ORDINANCE (Carried)**

[Amending City's Special Events Ordinance](#)

Ms. Robertson presented to Council.

On motion by Ms. Hill, seconded by Mr. Signer, the second reading was waived. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Walker, Mr. Signer, Ms. Galvin; Noes: None.)

On motion by Ms. Hill, seconded by Mr. Signer, the ordinance passed. (Ayes: Dr. Bellamy, Ms. Hill, Mr. Signer, Ms. Galvin; Noes: Ms. Walker.)

**AN ORDINANCE AMENDING AND REORDAINING SECTION 18-25 OF ARTICLE III OF CHAPTER 18 OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED, RELATING TO PERMITS FOR SPECIAL EVENTS AND DEMONSTRATIONS**

**RESOLUTION: AUTHORIZING THE CITY ATTORNEY TO RETAIN LEGAL COUNSEL**

At Ms. Walker's request, Ms. Robertson provided clarification for the circumstances in which this would be used.

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

**RESOLUTION**

**BE IT RESOLVED** by the Council for the City of Charlottesville that, in accordance with Sec. 2-213(d) of the City Code, the City Attorney, including any individual serving as acting city attorney, is hereby authorized to retain such legal counsel as he or she deems necessary to assist him or her on legal matters for the City, subject to the following conditions: (i) any such engagement shall be subject to the availability of funds, as determined by the City's Finance Director, and (ii) any such engagement shall be for or in connection either with the pending Statue Litigation (Payne, *et al.* v. City of Charlottesville, *et al.*) or a City Council project or assignment.

**RESOLUTION: DELEGATION OF CONTRACTING AUTHORITY TO DIRECTOR OF EMERGENCY MANAGEMENT**

Ms. Walker asked for clarification from Ms. Robertson for when this type of authority would be exercised. Ms. Walker said this makes her leery, especially since we are facing a term with an interim City Manager. She asked how decisions would be communicated to the Councilors. Mr. Signer suggested adding language to ensure Council would be briefed ahead of any documents being executed, as well as the power to revoke the resolution by majority vote.

Mr. Signer suggested the following language: "Council shall be informed immediately of any exercise of the powers granted herein."

Council requested to change the effective end date to August 20, 2018.

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

### **RESOLUTION**

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia (the “City Council”) that, on this 16<sup>th</sup> day of July, 2018, the City Council does hereby delegate to its Director of Emergency Management (“Director”) the power and authority to act as the agent of City Council for the following purposes:

- (1) To enter into agreements in the name of and on behalf of the City of Charlottesville in accordance with the provisions of Virginia Code §15.2-1726, for the cooperation in the furnishing of police services, with the Department of State Police, with any other Virginia locality, with police of the University of Virginia, with any agency of the Federal government, or any combination of the foregoing, as the Director of Emergency Management may deem advisable or expedient; and
- (2) To enter into agreements in the name of and on behalf of the City of Charlottesville with other law enforcement agencies, pursuant to any other statutory provisions within Title 15.2, Chapter 17, Article 2 of the Virginia Code; and
- (3) To enter into agreements in the name of and on behalf of the City of Charlottesville with any landowner(s) to authorize the temporary use of private property for or in connection with the provision of police services.

The terms and conditions of each such agreement shall be subject to the review and approval by the City Attorney and the City’s Director of Finance, prior to signature by the Director. Any such agreement signed and executed by the Director of Emergency Management shall be binding upon the City of Charlottesville, and shall have all of the same force and effect as if approved by City Council itself.

This Resolution shall be effective upon its adoption, and the authority hereby delegated to the Director of Emergency Management shall be and remain in effect through August 20, 2018.

### **RESOLUTION: REVIEW OF DISCRETIONARY FUNDING PROCESS FOR NONPROFITS**

Ms. Walker said the resolution looks to replace the process that has been put into place for reviewing the ABRT process.

Mr. Mike Murphy, Assistant City Attorney, asked that Council commit to the first paragraph of the resolution so that from a timing perspective, a process may be put into place.

Mr. Signer said a consultant does not seem necessary in this area.

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

**Authorizing review of ABRT process and  
Maintaining funding for currently funded organizations at FY19 level**

NOW THEREFORE, BE IT RESOLVED, that Council hereby authorizes staff to engage in a review of the Agency Budget Review Team process; and

BE IT FURTHER RESOLVED, that Council directs the City to forego an application process for the fiscal year (FY) 2020 for external organizations and maintain funding for currently funded organizations at the FY19 level; and

BE IT FURTHER RESOLVED, that this applies only to organizations that are reviewed under the Agency Budget Review Team process; contractual organizations will still be required to submit full applications to be reviewed by the Budget office.

**RESOLUTION: CHARLOTTESVILLE PARKING CENTER SETTLEMENT AGREEMENT**

Mr. Chris Engel, Director of Economic Development, presented to Council and answered clarifying questions.

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

**RESOLUTION**

**BE IT RESOLVED** by the City Council for the City of Charlottesville, Virginia that City Council does hereby approve a settlement of the lawsuit pending in Charlottesville Circuit Court, between Charlottesville Parking Center, Inc. and the City of Charlottesville, as set forth within the Settlement Agreement made as of June 29, 2018, and in connection with this Settlement, this City Council hereby:

- 1) authorizes the City Manager to execute the Settlement Agreement on behalf of the City;
- 2) authorizes the City Manager to execute the Real Estate Purchase agreement made as of June 29, 2018, attached as Exhibit A to the Settlement Agreement; and
- 3) authorizes the Mayor to execute the Deed of Lease, made as of June 30, 2018, attached as Exhibit B to the Settlement Agreement.

**ORDINANCE: AMENDING CODE GOVERNING THE PLACE AND TIME OF REGULAR CITY COUNCIL MEETINGS**

Ms. Robertson recommended amending section 2-31. to say that Council can take action by motion or resolution to cancel any regular meeting.

Ms. Walker asked Council if they wished to move their vacation meeting to September 4. There was not consensus to do so.

Mr. Signer said he is not sure why this is necessary. Ms. Robertson said it may not necessarily be required, but it does provide a measure of comfort and flexibility.

On motion by Ms. Hill, seconded by Ms. Galvin, a second reading of the ordinance was waived. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Walker, Mr. Signer, Ms. Galvin; Noes: None.)

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

**ORDINANCE AMENDING AND REORDAINING SECTION 2-41 OF ARTICLE II OF CHAPTER 2 (ADMINISTRATION) OF THE CODE OF THE CITY OF CHARLOTTESVILLE (1990), AS AMENDED, RELATED TO THE TIME AND PLACE OF CITY COUNCIL MEETINGS**

**MATTERS BY THE PUBLIC**

Ms. Elliott Brown, City resident, said she believes it is important that Council hold another meeting between now and August 12.

Mr. Rolf Braun, Charlottesville, said security barriers at recent events were flimsy and would not protect a pedestrian from a vehicle. He asked to ensure enough water barriers are leased or purchased to ensure safety. He said he does not support a ward system and called for proportional representation instead.

Ms. Anna said she suffers from PTSD from her interaction with the police on July 8. She said her cane could be seen as a weapon under the revised ordinance Council passed this evening, and this puts more power in the hands of the police. The measures largely effect counter-protestors.

Mr. Brandon Collins, City resident, said Council and City staff need to stand up for the people of Charlottesville, especially with the August 12 anniversary approaching. He spoke about ward systems and the balance of political power.

On motion by Ms. Hill, seconded by Dr. Bellamy, Council moved to convene into closed session. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Walker, Mr. Signer, Ms. Galvin; Noes: None.)

The regular meeting was adjourned at 12:02 a.m.

**NOTICE OF SPECIAL MEETING**

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Tuesday, July 17, 2018, AT 2:00 a.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 – July 17, 2018**

Council met in special session on this date with the following members present: Ms. Galvin, Dr. Bellamy, Ms. Hill, Mr. Signer, Ms. Walker. On motion by Ms. Hill, seconded by Dr. Bellamy, Council voted, (Ayes: Ms. Galvin, Ms. Hill, Dr. Bellamy, Mr. Signer, Ms. Walker; Noes: None;) to meet in closed session as authorized by Va. Code sec. 2.2-3711 (A)(1), specifically: for interviews, discussion and consideration of prospective candidates for appointment to the position of City Attorney.

On motion by Ms. Hill, seconded by Dr. Bellamy, Council certified by the following vote (Ayes: Dr. 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.