

## COUNCIL CHAMBER - March 18, 2019

### ROLL CALL

The Charlottesville City Council met on this date in City Hall Council Chamber with the following members present: Mayor Nikuyah Walker, Vice Mayor Heather Hill, Dr. Wes Bellamy, Ms. Kathy Galvin, and Mr. Mike Signer.

Mayor Walker called the meeting to order at 6:37 p.m.

### ANNOUNCEMENTS / PROCLAMATIONS

Ms. Hill read an announcement from Mr. Alex Zan regarding the 5<sup>th</sup> annual “My Help List Contest”, a thinking, writing and reading activity with a cash prize and winners reception. The contest is open to students from Charlottesville and surrounding areas, and runs from March 11 – April 19, 2019.

Dr. Bellamy asked for a moment of silence for the recent tragedy at a New Zealand mosque and Ms. Walker read a Proclamation / Statement of Solidarity from the City of Charlottesville. Dr. Mohamed Halaibeh was present to receive the Proclamation and he made remarks.

Dr. Bellamy presented a Proclamation for the Virginia Festival of the Book to program director Jane Kulow, who made remarks.

### CONSENT AGENDA

Clerk of Council Kyna Thomas read the following Consent Agenda items into the record:

- a. MINUTES: March 4, 2019 Special Meeting; March 6, 2019 Special Meeting; March 7, 2019 Special Meeting**

[March 4, 2019 Special Meeting](#)

[March 6, 2019 Special Meeting](#)

[March 7, 2019 Special Meeting](#)

- b. APPROPRIATION: State Criminal Alien Assistance Program (SCAAP) Grant for 2019 - \$14,086 (Carried) [This item was removed from the Consent Agenda for consideration later in the meeting.]**

- c. APPROPRIATION: Domestic Violence Services Coordinator Grant - \$49,336 (Carried)**

[Domestic Violence Services Coordinator Grant - \\$49,336](#)

- d. **APPROPRIATION: Virginia Behavioral Health Docket Grant - \$50,000 (Carried)**

[Virginia Behavioral Health Docket Grant - \\$50,000](#)

- e. **RESOLUTION: Capital Funding Transfer for Smith Recreation Center Air Quality Project - \$300,000**

[Smith Recreation Center Air Quality Project - \\$300,000](#)

**RESOLUTION**

**Transfer for Smith Recreation Center Indoor Air Quality Project  
\$300,000**

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the funding for the Smith Recreation Center Indoor Air Quality project is hereby transferred in the following manner:

**Transfer From:**

\$300,000      *Fund: 426*                      *WBS: CP-080*                      *G/L Account: 599999*

**Transfer To**

\$300,000      *Fund: 426*                      *WBS: P-01011*                      *G/L Account: 599999*

- f. **RESOLUTION: 10th & Page Park - land acquisition - \$60,800 (Carried)**

[10th & Page Park - land acquisition - \\$60,800](#)

- g. **RESOLUTION: VDOT - Programmatic Project Administration Agreement**

[VDOT - Programmatic Project Administration Agreement](#)

**RESOLUTION**

**AFFIRMING COMMITMENT TO FUND THE LOCALITY SHARE OF PROJECTS  
UNDER AGREEMENT WITH THE VIRGINIA DEPARTMENT OF  
TRANSPORTATION AND PROVIDE SIGNATURE AUTHORITY**

**WHEREAS**, the City of Charlottesville is a recipient of Virginia Department of Transportation funds under various grant programs for transportation-related projects; and

**WHEREAS**, the Virginia Department of Transportation requires each locality, by resolution, to provide assurance of its commitment to funding its local share; and

**THEREFORE, IT IS HEREBY RESOLVED**, by the City of Charlottesville hereby commits to fund its local share of preliminary engineering, right-of-way, and

construction (as applicable) of the project(s) under agreement with the Virginia Department of Transportation in accordance with the project financial document(s); and

**BE IT FURTHER RESOLVED**, that the City Manager and/or his designees is authorized to execute all agreements and/or addendums for any approved projects with the Virginia Department of Transportation.

**In witness whereof, the forgoing was adopted by City Council of Charlottesville, Virginia on 2019.**

**RESOLUTION  
APPROVING VIRGINIA'S  
STATE-WIDE PROGRAMMATIC PROJECT ADMINISTRATION  
AGREEMENT FOR REVENUE SHARING PROJECTS (PPAA)  
THROUGH FISCAL YEARS FY2020, FY2021, AND FY2022 FOR PROJECTS  
WITHIN THE CITY OF CHARLOTTESVILLE**

**WHEREAS**, the Virginia Department of Transportation (VDOT) and the City of Charlottesville (City) need to enter into an agreement allowing the City to locally administer certain state-funded projects, said agreement being referred to as the state-wide Programmatic Project Administration Agreement for Revenue Sharing projects within the City of Charlottesville funded solely with revenue sharing funds (hereinafter, said agreement being referred to as the "PPAA"). The parties agreed that the PPAA would be and remain in effect for a term of three fiscal years (FY2020, FY2021, and FY2022), but the PPAA expressly provides an option allowing the parties to extend the term for an additional three fiscal years (through June 30, 2025); and,

**WHEREAS**, VDOT requests the City to enter into a written agreement (PPAA), and further requests the City of Charlottesville to provide assurance of its commitment to funding its local share for each PPAA Project for fiscal years FY2020, FY2021, FY2022 and to otherwise verify its commitment to meeting its financial obligations under the PPAA;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that said Council hereby approves the execution of the PPAA through the end of FY2022, and Council hereby commits to fund its local share of preliminary engineering, right-of-way and construction, as applicable, for the project(s) administered under agreement with the Virginia Department of Transportation, in accordance with the PPAA and applicable project financial document(s); and

**BE IT FURTHER RESOLVED** by Council that the Charlottesville City Manager is hereby authorized to execute the PPAA consistent with this Resolution on behalf of, and as the agent of, the Charlottesville City Council.

This resolution shall be effective upon passage.

**RESOLUTION  
 APPROVING AN ADDENDUM TO VIRGINIA’S  
 STATE-WIDE PROGRAMMATIC PROJECT ADMINISTRATION  
 AGREEMENT FOR REVENUE SHARING PROJECTS (PPAA)  
 TO EXTEND THE TERM OF THE PPAA THROUGH FISCAL YEARS FY2023,  
 FY2024, AND FY2025 FOR PROJECTS WITHIN THE CITY OF  
 CHARLOTTESVILLE**

**WHEREAS**, the Virginia Department of Transportation (VDOT) and the City of Charlottesville (City) have entered into an agreement allowing the City to locally administer certain state-funded projects, said agreement being referred to as the state-wide Programmatic Project Administration Agreement for Revenue Sharing projects within the City of Charlottesville funded solely with revenue sharing funds (hereinafter, said agreement being referred to as the “PPAA”). The parties agreed that the PPAA would be and remain in effect for a term of three fiscal years (FY2020, FY2021, and FY2022), but the PPAA expressly provided an option allowing the parties to extend the term for an additional three fiscal years (through June 30, 2025); and,

**WHEREAS**, in order to extend their agreement for three additional fiscal years, in accordance with the PPAA, VDOT requests the City to enter into a written Addendum to the PPAA, and further requests the City of Charlottesville to provide assurance of its commitment to funding its local share for each PPAA Project for fiscal years FY2023, FY2024, FY2025 and to otherwise verify its commitment to meeting its financial obligations under the PPAA for an extended period of time;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that said Council hereby approves the extension of its obligations under the PPAA through the end of FY2025, and in connection with the extension Council hereby commits to fund its local share of preliminary engineering, right-of-way and construction, as applicable, for the project(s) administered under agreement with the Virginia Department of Transportation, in accordance with the PPAA and applicable project financial document(s); and

**BE IT FURTHER RESOLVED** by Council that the Charlottesville City Manager is hereby authorized to execute an Addendum to the PPAA consistent with this Resolution on behalf of, and as the agent of, the Charlottesville City Council.  
 This resolution shall be effective upon passage.

**h. ORDINANCE: Imposition of Fee for Fire Department Inspections**

[Imposition of Fee for Fire Department Inspections](#)

**ORDINANCE**

**WHEREAS**, the City of Charlottesville (hereinafter “City”) adopted the Virginia Statewide Fire Prevention Code (hereinafter “VSFPC”) by enacting Charlottesville City Code §12-31; and

**WHEREAS**, Virginia Code §27-98 and Charlottesville City Code §12-31 authorize the City to levy fees to enforce the VSFPC.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHARLOTTESVILLE**, that the Charlottesville City Council adopts the Charlottesville Fire Department Office of the Fire Marshall Fee Schedule attached to this Ordinance as Exhibit A.

**i. ORDINANCE: Telecommunications Franchise to MCI Communications**

[Telecommunications Franchise to MCI Communications](#)

**AN ORDINANCE GRANTING A TELECOMMUNICATIONS FRANCHISE TO MCI COMMUNICATIONS SERVICES, 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**

**CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)**

Interim City Manager Mike Murphy discussed the following matters:

1. Traffic at the Willoughby intersection. He advised that striping was being done as recommended by the Traffic Engineer. Research was pulled for reportable and non-reportable crashes for the last year. Of the eight reportable crashes, four were at the intersection, three of which were rear-end collisions for trailing closely. The Public Works Department and Traffic Engineering are providing an additional study as they work toward a solution.
2. Benches on the Downtown Mall. After talking with Mr. Daly, there are approximately twelve benches that can be put back into use and have locations already pre-determined.
3. Pilot altering the trolley route. He gave details of several options and advised of the loss of parking spaces.
4. Posting of police data on the interactive website. Additional demographic information has been included since the initial launch.
5. Vietnam Veterans Memorial. General parking area and wayfinding signs have been added. Further accessibility options are being explored.

Ms. Walker asked about the efficiency of providing transportation at the Memorial. Mr. Murphy advised it would be up to Council as they would need to look at return on investment and other factors to weigh options.

Ms. Galvin asked about feedback regarding the proposed trolley route pilot. Mr. Murphy mentioned that most feedback has been positive.

Council agreed to let staff move forward with the trolley pilot and placing benches on the Downtown Mall.

## **COMMUNITY MATTERS**

Ms. Liz Reynolds, resident, spoke about her involvement in a white racial affinity group based on mindfulness and meditation as one of the avenues to learn how to decrease disparities between whites and blacks in America. She mentioned that she leads a meditation-based class series based on the work of author Ruth King, who will be part of this year's Festival of the Book. She gave copies of Ruth King's book to Councilors.

Mr. Walt Heinecke, resident, spoke on behalf of the People's Coalition regarding the Police Civilian Review Board (CRB) and the desired makeup, responsibility and authority.

Ms. Susan Kruse, resident, spoke about climate action planning and greenhouse gas emissions reduction. She related rising temperatures to rising energy costs, which would disproportionately affect low income households. She gave specifics of the results from the public comment period, which ended March 17.

Ms. Mary Carey, resident, thanked Mr. Murphy for getting the trolley pilot started. She asked Ms. Galvin for apology for comments made in November 2018 regarding Vinegar Hill.

Mr. Harold Foley yielded his time to Lynn (?) of the People's Coalition, who continued Mr. Heinecke's list of core elements of what would make a meaningful CRB.

Ms. Idil Aktan, representing the Human Rights Commission of Charlottesville, spoke about affordable and safe housing, in particular endorsement of the Charlottesville Supplemental Rental Assistance Program resolution.

Dr. Bellamy and Mr. Murphy advised that funding is currently in the budget for the rental assistance program.

Ms. Tanisha Hudson, resident, advised of a request from Mr. Brown at Brown's convenience store for two designated parking spaces. She encouraged funding for Open Source Recycling to help with obtaining a facility, as they help refurbish and repurpose computers, and distribute them to those in need. She encouraged increasing the income limit for property assessment credits needed due to gentrification.

Ms. Rosia Parker addressed Mr. Murphy directly about the intersection at 8th and Main Streets. Regarding the CRB, she demanded that the police chief apologize to the CRB for comments made about the CRB in reference to two members in particular. She advised that she is not satisfied with the way the data was presented by the Charlottesville Police Department

prior to the March 12, 2019 CRB meeting. She asked for clarification of when the complaint process started.

Mr. Peter Krebs, resident, spoke on behalf of the Piedmont Environmental Council. He endorsed the project to reroute the trolley and brought forth two pedestrian-related opportunities: 1) the Thomas Jefferson Planning District Commission discussion of the 5<sup>th</sup> Street Trails Project on March 20<sup>th</sup> from 4:30 p.m. – 6:00 p.m. at TJPDC Water Street Center, and 2) a co-hosted social with PEC and Safe Routes to School on March 22<sup>nd</sup>. Volunteers will be fixing up the City's bike fleet.

Mr. Ken Edwards spoke about the need to cease rising tax assessments because citizens are being displaced. He used his own property as an example of the rate of increase. He also asked Council to help people who want to be homeowners by partnering with Habitat for Humanity.

Mr. Trey Biasioli, resident, spoke about the City's climate policy and the recently closed public comment period. He spoke about the ownership of a fossil fuel utility, and advised that natural gas is no longer the cleaner option for energy. He offered three recommendations: 1) stop incentivizing fossil fuel usage; 2) switch the incentives to encourage the use of cleaner electric-based appliances; 3) commit to a zero carbon future for Charlottesville Gas.

Mr. Jeff Fogel, resident, spoke in reference to a comment from Mr. Murphy regarding transparency.

Ms. Jane Fletcher, resident, spoke about rising real estate taxes. She advised that the City budget needs to be constrained.

Ms. Nancy Carpenter, resident, spoke about parking at the Rose Hill Market. She thanked staff for looking into putting the benches with backs on the downtown mall. She asked whether the Vinegar Hill plaque was returned to Parks & Rec and whether the plan for the park will continue. She spoke of the need of funding for improvements at Washington Park. Mr. Murphy gave feedback about development at end of the mall.

Ms. Katrina Turner, resident, spoke about information presented by the Police Department to the CRB, and advised that she is awaiting a response from the Police Chief in regard to her personal situation.

Mr. Don Gathers spoke about real estate tax assessment increase to his over 100-year-old home, with an increase in his property of \$52,000 within the last two years. He advised that the only difference is a local development - Dairy Central Project. He cautioned that projects such as this contribute to the issues of gentrification, which drive out existing residents.

Dr. Bellamy commented about the need for a dedicated revenue source to address affordable housing.

Ms. Galvin asked a question of Mr. Blair about a moratorium on luxury student housing. He advised there is no general moratorium on development in localities. Special Use Permits are

at Council's discretion as those projects are presented. At Council's direction, Mr. Blair will research.

At request of Mr. Signer, Mr. Murphy gave information about the Assessor's Office and an explanation of how the appeals process for real estate assessments works. He advised that there are a certain amount of funds set aside to account for appeals.

Mr. Blair gave an explanation of the personnel records policy as regulated by City Code.

On motion by Ms. Hill, seconded by Mr. Signer, Council by the following vote appointed the following members to the Region 10 Board: Ms. Linda Hanson and Mr. Andre Lewis. APPROVED 5-0. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Walker, Mr. Signer, Ms. Galvin; Noes: None)

The meeting went into recess at 8:24 p.m.

The meeting reconvened at 8:44 p.m.

On motion by Ms. Galvin, seconded by Ms. Hill, Council by the following vote, suspended the rules of the meeting to allow an adjustment to the order of the agenda. APPROVED 5-0. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Walker, Mr. Signer, Ms. Galvin; Noes: None)

Ms. Galvin asked that Item #8 regarding Bennett's Village be moved to Agenda Item #2

Ms. Walker advised that ten minutes would be allocated for the presentation.

## **REPORT: Bennett's Village Playground**

### [Bennett's Village Playground](#)

Mr. Brian Daly acknowledged the addition of accessible play structures on existing playgrounds, and advised that this proposal is for the construction of a dedicated all-abilities park. He introduced Kara McClurken and Brian Gibney, who shared the story of Bennett and gave a presentation for the proposed playground. They advised that the closest all-abilities playground is in Richmond, Virginia. The proposal is for Charlottesville to create an all-abilities park with land donated from the City at Penn Park, in partnership with Parks & Recreation. The playground could enable children as well as limited-ability adults.

Ms. Walker asked about next steps. Mr. Daly advised that there is a draft resolution in the agenda packet, which could be put on the next Council agenda for consideration.

Mr. Signer advised that this type of playground would become a destination.

Ms. Galvin commended Bennett's parents for their fortitude and courage in bringing the item forward.



**PUBLIC HEARING: Proposed Real Estate Tax Rate for FY2020**[Proposed Real Estate Tax Rate for FY2020; City Manager's Proposed Budget for FY2020](#)

Mr. Murphy gave a brief presentation and review of the Proposed FY2020 Budget, and public hearings were considered separately.

Ms. Walker opened the public hearing for the real estate tax rate for FY2020.

Ms. Caroline Belt, resident, thanked Mayor Walker for trying to use checks and balances to make sure funds are being properly used. She asked about checks and balances from the school system, and advised that the data is needed in order for her to feel more comfortable spending tax dollars on the schools.

Mr. Mark Kavitt spoke about real estate assessments increasing and advised that people are leaving the City. He encouraged increasing the income limit for tax credits.

Ms. Kimber Hawkey, Belmont resident, spoke about real estate reassessment and suggested that there is a problem in the Assessor's Office. She offered suggestions of how to address revenue and expenses.

Ms. Colette Hall commended Council and City staff on the work put into the budget process. She advised that Council should look into decreasing expenses.

Mr. Jeff Fogel, Belmont resident, advised of the need for the City to have 1) a sustained source of revenue, and 2) a more robust system for rebates. He advised that the largest population of people who are leaving the City are black and low-income. He advised that the sustained source of revenue would help decrease the disparity of income.

Mr. Aaron Winston, organizer with the Housing Coalition advised that a tax abatement program is important to address the issue for affordable housing. He encouraged raising real estate tax only if combined with a robust tax abatement program.

Mr. Walt Heinecke, resident, spoke about the history of affordable housing issues in Charlottesville, and commended Council for efforts moving forward. He spoke in support of a real estate tax increase as a long-term solution for addressing affordable housing.

Mr. Brad Slocum, resident, advised Council not to reinvent the wheel, and offered that the City of Ithaca, NY, is dealing with similar issues in a university town. He asked Council to look for a sustainable solution.

Ms. Nancy Carpenter, spoke in support of a real estate tax increase, the need for a sustainable revenue source to support affordable housing, and the expansion of tax relief programs. She encouraged Council to adopt a 1% real estate increase and address rent control.

Ms. Elaine Poon of the Legal Aid Justice Center, commended Council and Mr. Murphy for budget efforts. She asked them to look for long-term and permanent solutions. She encouraged an increase of CAHF contribution as well as the rent subsidy voucher program.

Mr. Brandon Collins, resident, spoke about the affordable housing crisis in Charlottesville and agreed that there needs to be a funding stream to support affordable housing. He advised of a variety of interventions need to address affordable housing. He spoke in support of a real estate tax increase, and raising caps for tax relief.

Mr. Michael Payne, renter in Belmont, encouraged Council to prioritize expanding the CHAP program to the maximum possible. He spoke of land speculation from investors. He asked Council to consider the value of community land trusts to stop displacement and to be mindful of where density is being placed.

The public hearing was closed.

#### **PUBLIC HEARING: City Manager's Proposed Budget for FY2020**

Ms. Walker opened the public hearing for the City Manager's Budget.

Mr. Aaron Winston, City resident, commended the City Manager and Council for good faith efforts for housing affordability. He advised Council to check their emails for a letter of intent sent from eight organizations in support of finding all avenues to address affordable housing.

Ms. Caroline Belt spoke about real estate tax relief. She asked Council to consider relief for population over 65 years old.

Mr. Peter Krebs, City resident, spoke about design equity, including ADA upgrades. He advised that the budget does not include some of the larger projects. He asked Council to set aside funds for a long-term bike-ped connectivity plan.

Mr. Walt Heinecke, resident, asked for prioritization and efficiency, specifically with the ABRT process. He asked that money be allocated to fund the CRB.

Mr. Don Gathers, resident, commended Council for including funding for affordable housing. He suggested that Council discuss with School Board the funds going toward CIP study and design.

Councilors added information about the costs associated with the CIP study and design.

The public hearing was closed.

**PUBLIC HEARING/ ORDINANCE: Proposed Meals Tax Rate for FY2020 (1st of 2 readings)**

[Proposed Meals Tax Rate for FY2020](#)

Ms. Walker opened the public hearing for the Meals Tax rate.

Mr. Mark Kavit, suggested being careful with increasing the tax.

Mr. Walt Heinecke suggested reframing the meals tax as a way to contribute to affordable housing and equity issues. He proposed reframing it as socially conscious investing.

Ms. Nancy Carpenter spoke in support of the meals tax increase as a way to address issues or equity.

The public hearing was closed.

**PUBLIC HEARING/ ORDINANCE: Proposed Lodging Tax Rate for FY2020 (1st of 2 readings)**

[Proposed Lodging Tax Rate for FY2020](#)

Ms. Walker opened the proposed Lodging Tax public hearing.

Ms. Caroline Belt, resident, encouraged separating AirBnB from hotels when considering lodging tax.

Mr. Walt Heinecke advised that people will want to come to Charlottesville when they see that lodging tax goes toward supporting equity.

Ms. Nancy Carpenter spoke in support of the lodging tax increase.

Mr. Mark Kavit advised that if people know where their money is going, they would support the lodging tax. He encouraged enforcement of the rules on the books for AirBnB units.

Mr. Brandon Collins, resident, spoke of problems with AirBnB. He advised that they should be taxed the same as hotels.

The public hearing was closed.

Ms. Walker reminded the audience of the Budget Meeting tomorrow.

Mr. Blair confirmed that there would be no need for a public hearing on April 1 for the real estate tax assessment if Council is considering a one cent increase since the rate was advertised at \$0.97, a two cent increase.

Ms. Walker called for a ten minute recess.

**PUBLIC HEARING/ ORDINANCE: Rezone 918 Nassau Street (Hogwaller Farm) to Mixed Use Highway Corridor (2nd of 2 readings)**

[Rezone 918 Nassau Street \(Hogwaller Farm\) to Mixed Use Highway Corridor](#)

Mr. Matt Alfele, City Planner, introduced the rezoning and SUP public hearings, advising that the proffers were amended. He referred to the February 19, 2019 first reading and public hearing of this item, at which time the applicant advised that he would bring the item back with revisions.

There were no questions from Councilors.

Ms. Walker opened the public hearing.

Mr. Justin Shimp, applicant, spoke to items that were changed in the proffers such as the period for affordability, reduction of square footage for churches, and business development of how the farm will work.

Mr. Mark Kavit, resident, spoke in opposition to the rezoning request because of the risk associated with being in a floodplain.

Ms. Kimber Hawkey, Belmont resident, advised of a conflict of interest since Shimp Engineering drew the FEMA flood maps. She advised of concerns with the amount of affordable housing being involved, issues of standing water and mold, and the fact that more density would cause more issues on the sloped area. She suggested that the City allow community gardening in the park or edible landscaping as an options. She asked that floodplains be respected.

Mr. David Katz, Belmont resident, spoke in opposition to the rezoning and SUP because of the risk associated with being in a floodplain. He expressed concern that there were no environmental staff or City experts to address the issues raised. He mentioned that the Planning Commission voted 3-2 against the project, and that the floodplain maps should have been drawn by a third party rather than by the developer of the property.

The public hearing was closed.

Ms. Galvin asked Mr. Blair a question about having an independent third party draw the FEMA floodplain maps. Mr. Blair advised that this is a process that FEMA does provide and is available to other landowners.

Mr. Shimp advised that he was tasked with submitting technical data to FEMA so that FEMA could redraw the maps. The City of Charlottesville and Albemarle County signed off on the study. The construction has already been approved, so that is why staff has not commented

at meetings. He advised that there was approximately a two year process to amend the flood map.

Dr. Bellamy asked what would happen to the site if the rezoning is not approved.

Ms. Walker asked about the Planning Commission's decision. Mr. Alfele advised that the Planning Commission voted 3-2 to recommend denial of the rezoning and SUP; however, they have not reviewed the proffers.

Ms. Galvin made a motion for denial of the rezoning petition, as recommended by the Planning Commission. The motion was seconded by Ms. Hill.

Council discussion ensued.

Ms. Galvin advised that this process attempted to short-circuit the development process and does not follow the standards of review, the Comp Plan or the City Vision. She advised that she was still not convinced of the rationale for the rezoning.

Ms. Hill expressed similar concerns. She advised that she does not see the partnership for the farming space, and the use does not match the proposed zoning.

Mr. Signer advised that he is more inclined to support the innovation of the project and that the Pros outweigh the Cons.

Dr. Bellamy advised that he is in agreement with Councilor Signer about the innovation of the project, but the process for approval of development is flawed, and concerns of neighbors cannot be ignored.

Ms. Walker advised that she spoke with neighbors who were concerned about runoff from rainwater once the project is developed, but were in support. She expressed that she was inclined to follow the Planning Commission recommendation.

Mr. Alfele advised that staff has not done a full site plan review, but that would be the next step.

The vote was conducted; however, resulted in a MISVOTE.

Ms. Galvin re-stated the motion.

Mr. Signer advised that the process for development in the City is glacial, and consideration needs to be given for innovation.

On motion by Ms. Galvin, seconded by Ms. Hill, Council voted on the Denial of the rezoning petition: DENIED 3-2 (Ayes: Ms. Hill, Ms. Walker, Ms. Galvin; Noes: Dr. Bellamy, Mr. Signer)

**PUBLIC HEARING/ RESOLUTION\*: Special use permit for 918 Nassau Street (Hogwaller Farm) for increased density**

[Special use permit for 918 Nassau Street \(Hogwaller Farm\) for increased density](#)

As a result of the denial for rezoning, the SUP needed no action.

**OTHER BUSINESS**

**Item B from the CONSENT AGENDA was considered:**

- b. APPROPRIATION: State Criminal Alien Assistance Program (SCAAP) Grant for 2019 - \$14,086 (Carried)**

[State Criminal Alien Assistance Program \(SCAAP\) Grant for 2019 - \\$14,086](#)

Ms. Walker asked if receiving the funding triggers mandatory ICE notifications, and Mr. Murphy advised that it does not. The notification to ICE happens at the point of intake.

On motion by Ms. Hill, seconded by Dr. Bellamy, Council voted to APPROVE the appropriation of funds to the Regional Jail for the State Criminal Alien Assistance Program (SCAAP). 5-0 (Ayes: Dr. Bellamy, Ms. Hill, Ms. Walker, Ms. Galvin, Mr. Signer; Noes: None)

In other matters, Ms. Galvin brought up the request from the Chair of the Housing Advisory Committee (HAC) in February to modify the originating resolution of the HAC to add the Charlottesville Works Initiative as a Category 2 member. Realizing that there would be a more robust discussion in the future of the terms of membership for HAC and other advisory groups, Ms. Galvin asked that this one component of the resolution be considered more immediately. Ms. Walker stated that she wanted to have discussion at the same time as the appointment. Ms. Hill advised that the longer it takes to get this membership in place, the harder it will be for the HAC to complete the work that they are doing. Mr. Signer seconded putting this item on the next agenda.

**MATTERS BY THE PUBLIC**

Mr. Michael Payne, resident, in reference to the 918 Nassau Street project outcome, advised that zoning reform needs to be a priority on par with anything done related to affordable housing, and applicants forced to go through such a process could set the City back on affordable housing.

The meeting adjourned at 11:47 p.m.