

## COUNCIL CHAMBER - May 20, 2019

Council met on this date with the following members present: Ms. Nikuyah Walker; Ms. Heather Hill; Dr. Wes Bellamy, and Ms. Kathy Galvin; Mr. Mike Signer was absent.

### ANNOUNCEMENTS

Ms. Walker, Ms. Hill and Dr. Bellamy thanked the public for participating in the City Manager hiring process.

Mr. Masamba Diop, drummer for the movie "Black Panther", performed a drum solo. He was in town to work with Charlottesville students.

Dr. Bellamy announced a Decoration Day activity sponsored by Daughters of Zion. He announced a bicycle ride through the City on May 22<sup>nd</sup>; Juneteenth celebrations on June 14 and 15; Unity Days - May events; and "Run These Streets" jogging dates in preparation for the 4-mile run on June 29<sup>th</sup>.

Ms. Hill read an announcement from the Voter Registrar regarding absentee voting.

Ms. Hill welcomed Dr. Richardson to the dais. She thanked staff members who stepped into new roles during staffing transitions: Brian Wheeler, Leslie Beauregard, Kaki Dimock and Mike Murphy, and presented each with a token of appreciation.

### PROCLAMATIONS

Ms. Galvin read a proclamation for National Public Works Week. She introduced Mr. Mark Zavicar, who presented the proclamation to Mr. Jermaine Rush of the Public Works Department, Facilities Maintenance Division.

### CONSENT AGENDA

Clerk of Council Kyna Thomas read the consent agenda items into the record.

**a. MINUTES: April 17, 2019 Special Meeting**

Minutes - April 17, 2019 Special Meeting

**b. APPROPRIATION: Appropriation of funding for CPA-TV from The Ryal Thomas Show, LLC - \$4,247.50 (carried)**

Funding appropriation -CPA-TV \$4,247.50

**c. ~~APPROPRIATION: 2019-2020 Community Development Block Grant funding-- \$395,052.82 (2nd of 2 readings) – Item moved to June 3, 2019 meeting following 4-0 vote (Signer absent)~~**

Appropriations - CDBG-HOME Items C, D & E

- d. **APPROPRIATION: 2019-2020 HOME Investment Partnership funding--  
\$120,382.75 (2nd of 2 readings) – Item moved to June 3, 2019 meeting following 4-0  
vote (Signer absent)**
- e. **APPROPRIATION: Amendment to Community Development Block Grant  
Account - Reprogramming of Funds for FY 2019-2020 - \$1,900.82 (2nd reading)**

**APPROPRIATION  
AMENDMENT TO COMMUNITY DEVELOPMENT BLOCK GRANT ACCOUNT  
Reprogramming of Funds for FY 19-20**

**WHEREAS**, Council has previously approved the appropriation of certain sums of federal grant receipts to specific accounts in the Community Development Block Grant (CDBG) funds; and

**WHEREAS**, it now appears that these funds have not been spent and need to be reprogrammed, and therefore,

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that appropriations made to the following expenditure accounts in the CDBG fund are hereby reduced or increased by the respective amounts shown, and the balance accumulated in the Fund as a result of these adjustments is hereby reappropriated to the respective accounts shown as follows:

<b>Program Year</b>	<b>Account Code</b>	<b>Purpose</b>	<b>Proposed Revised Reduction</b>	<b>Proposed Revised Addition</b>	<b>Proposed Revised Appropriation</b>
16-17	P-00001-05-18	Seedplanters	\$25.82		
17-18	P-00001-05-20	Community Investment Collaborative	\$1,875.00		
19-20		Priority Neighborhood		\$1,900.82	\$1,900.82
		<b>TOTALS:</b>	<b>\$1,900.82</b>	<b>\$1,900.82</b>	<b>\$1,900.82</b>

- f. **APPROPRIATION: Local Emergency Management Performance Grant (LEMPG)  
- \$7,500 (2nd reading)**

APPROPRIATION: LEMPG - \$7,500

**APPROPRIATION**

**2018 Local Emergency Management Performance Grant (LEMPG) - \$7,500**

**WHEREAS**, the City of Charlottesville has received funds from the Virginia Department of Emergency Management in the amount of \$7,500 in federal pass through funds and \$7,500 in local in-kind match, provided by the Charlottesville-UVA-Albemarle Emergency Communications Center Office of Emergency Management; and

**WHEREAS**, the funds will be used to support programs provided by the Office of Emergency Management; and

**WHEREAS**, the grant award covers the period from July 1, 2018 through June 30, 2019;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$7,500 is hereby appropriated in the following manner:

**Revenue – \$7,500**

\$7,500 Fund: 209 I/O: 1900319 G/L: 430120 State/Fed pass thru

**Expenditures - \$7,500**

\$7,500 Fund: 209 I/O: 1900319 G/L: 510010 Salaries

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$7,500 from the Virginia Department of Emergency Management, and the matching in-kind funds from the Charlottesville-UVA-Albemarle Emergency Communications Center Office of Emergency Management.

- g. APPROPRIATION: Funding Requirements for SAP Integration for the FASTER Fleet Management Software - \$48,000 (2nd reading)**

Appropriation IT - SAP Integration FASTER \$48,000

**APPROPRIATION**

**Appropriation of Information Technology Fund Balance for SAP Integration for the FASTER Fleet Management Software - \$48,000**

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of up to \$48,000 in Information Technology fund balance, will be transferred to the Equipment Replacement Fund to be used as funding for SAP integration cost for the FASTER Fleet Management software implementation and shall be hereby appropriated in the following manner:

**Revenues - \$48,000**

Fund: 106 Cost Center: 1631001001 G/L Account: 498010

**Expenditures - \$48,000**

Fund: 106 Cost Center: 1631001001 G/L Account: 599999

**BE IT ALSO RESOLVED** that the fund balance transfer from the Information Technology fund is hereby appropriated in the following manner;

**Expenditure - \$48,000**

Fund: 705 Cost Center: 2111001000 G/L Account: 561106

- h. APPROPRIATION: Virginia Housing Solutions Program Grant Award -\$16,500 (carried)**

FY2019 VHSP 2nd Additional Appropriation - \$16,500

- i. ORDINANCE: Amend Conditions for Closing a Portion of the Coleman Street Right of Way (Unaccepted ROW) (2nd reading)**

Ordinance Coleman St Closing

**AN ORDINANCE AMENDING AND REENACTING AN ORDINANCE PREVIOUSLY ADOPTED ON AUGUST 6, 2018 FOR THE PURPOSE OF CLOSING, VACATING AND DISCONTINUING AN UNACCEPTED PORTION OF COLEMAN STREET**

On motion by Ms. Hill, seconded by Ms. Galvin, Council by the following vote PASSED the consent agenda and moved items “c” and “d” to the next Council meeting: 4-0 (Ayes: Dr. Bellamy, Ms. Hill, Ms. Walker, Ms. Galvin; Noes: None; Absent: Mr. Signer).

On motion by Ms. Hill, seconded by Ms. Galvin, Council by the following vote APPROVED the following Boards and Commissions appointments: 4-0 (Ayes: Dr. Bellamy, Ms. Hill, Ms. Walker, Ms. Galvin; Noes: None; Absent: Mr. Signer).

- Charlottesville Redevelopment and Housing Authority – Laura Goldblatt and Michael Osteen
- Citizen Transportation Advisory Committee – T. Donna Chen
- Community Development Block Grant (CDBG) Task Force – Nancy Carpenter and Howard Evergreen. She noted five vacancies for the CDBG-designated neighborhoods.
- Historic Resources Committee – John C. Barren, Jr., William L. Clay III, and Margaret O’Bryant and Ellen Wagner
- Jefferson Area Board for Aging – J. Brian Jackson
- Minority Business Program Task Force – Anthony Derek LeCounte
- Monticello Area Community Action Agency Board – John C. Gallant
- Parks and Recreation Advisory Committee – Bridget Moss
- PLACE Design Task Force – Susan Perkins, Michael Stoneking, Andrea Ruedy Trimble, Frederick Wolf, Emily Wright

- Region Ten Community Services Board – Linda Hanson, John Kronstain
- Charlottesville Retirement Plan Commission – Al Elias
- Sister City Commission – Joan Clark, Amanda Folsom, Kate Kogge, Dave Norris, James Potter
- Towing Advisory Board – Edward Wayne Hayslett
- Tree Commission – Brian Paul Menard
- Vendor Appeals Board – Al Elias

On request of Ms. Galvin, Council considered the Community Policy and Management Team appointment separately, as she advised that Mr. Michael Costanzo is her husband. Dr. Bellamy encouraged community members to apply to boards as some boards had few applicants. On motion by Ms. Hill, seconded by Dr. Bellamy, Council by the following vote appointed Mr. Michael Costanzo to the Community Policy and Management Team: 3-0 (Ayes: Dr. Bellamy, Ms. Hill, Ms. Walker; Abstained: Ms. Galvin; Noes: None; Absent: Mr. Signer).

On motion by Ms. Hill, seconded by Ms. Galvin, Council by the following vote APPROVED the following appointments to the Youth Council:

- Hans Bai, Olivia Bowers, Caroline Jaffe and Sabrina Hendricks.

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

Dr. Richardson asked for clarification from Council whether they would like to move forward with the six-month pilot program for the downtown trolley rerouting. After discussion, Council agreed to move forward.

Dr. Richardson followed up on an issue raised by Ms. Tanesha Hudson regarding parking at Rose Hill. He advised that the Traffic Engineer put up a 14-day notice for a change in parking because it is impacting neighborhood business.

Following up on a comment from Mr. Harold Folley about whether people can do community service to work off fines, Dr. Richardson advised that it is possible on a case-by-case basis, and that the judge requires that someone can verify the performance of those individuals and can certify the work that they have done. He explained a separate program verified by the Circuit Court judge for those who are incarcerated.

Dr. Richardson advised that staff is pursuing a climate vulnerability assessment in coordination with the University of Virginia.

Regarding Bike Month, Dr. Richardson advised that there will be a report on a future meeting to identify achievements.

## COMMUNITY MATTERS

Mr. Walter Heinecke, City resident, made comments about the Agency Budget Review Team report and suggested the use of an outside evaluator. He advised that the City has a chance to address equity through this process and he shared his view that the proposal in the Council packet was in need of improvement.

Mr. Peter Krebs, City resident, representing the Piedmont Environmental Council, spoke about the Jefferson Area Bicycle/Pedestrian plan on the agenda. He suggested that City Council should hear a presentation from the Planning District at a later time, perhaps during the summer. He advised that the plan was recently completed and it would be good to coordinate calendars with the County.

Mr. Chris Meyer, Fry's Spring neighborhood resident, and member of the Housing Advisory Committee, gave a personal account about the use of AirBnB and made several suggestions about tax on AirBnB and lodging tax to allocate funds for affordable housing. Ms. Galvin asked Dr. Richardson to look into short-term rental policies of other cities, including Blacksburg and Alexandria. Mr. Blair advised that the Commissioner of the Revenue has looked into this before and should be able to provide further insight.

Ms. Mary Carey, City resident, spoke in support of the trolley rerouting pilot program, and advised that the developer at a Water Street project was performing construction at irregular hours and being disruptive. Mayor Walker advised that she received a similar complaint about the construction noise.

Mr. Harold Folley ceded his time to Ms. Dorinda Johnson, City resident. Ms. Johnson gave an account of an interaction that she had with a particular police officer. She advised that in a conversation with officer she asked why his interactions with African-American males tends to be negative, and he became defensive. Ms. Olivia Patton, City resident, who was at the same neighborhood association meeting (Tonsler Park), gave her account of the incident. Ms. Johnson requested that someone look into the complaint that was filed with the Charlottesville Police Department that evening, and follow up with her.

Mr. Paul Long, City resident, spoke about the length of the May 6, 2019, City Council meeting. He asked that an effort be made to keep meetings to 2 ½ - 3 hours long.

Ms. Shantell Bingham, City resident, gave an update on the food equity initiative passed Oct. 15, 2018, addressing food insecurity in Charlottesville. Since then a number of non-profit organizations, City departments, healthcare institutions, and foundations in the City, have collaborated to better understand the root causes of food insecurity in Charlottesville. She outlined benefits, accomplishments and goals of the initiative. She highlighted five areas of advocacy: 1) healthy school meals, 2) strengthening transportation systems, 3) affordable housing, 4) urban agriculture, and 5) neighborhood access and markets. She advised Council to save the dates of July 16-17 as the City of Charlottesville and the Charlottesville Food Justice network have been selected for a national award. Ms. Galvin mentioned that this should be a future formal Council agenda item with policy recommendations.

Ms. Rosia Parker spoke about “over-policing” of black neighborhoods, police promotions, and transparency with the Civilian Review Board. She brought up an incident with Mr. Cyrus Tolliver. She advised that the light in the tunnel of 8<sup>th</sup> Street has not been done, and the street light at 8<sup>th</sup> & West Main is in need of reflectors if they cannot get a light.

Dr. Bellamy reiterated a point that he made in previous meetings that Council has the authority to make changes to streets and he would like to see that done sooner than later.

Mr. John Edward Hall, Fry’s Spring resident, asked that funds be allocated to lower by five feet the road at the intersection of 14<sup>th</sup> Street, West Main and University Avenue, to allow trucks to pass under the railroad overpass. Ms. Galvin advised Dr. Richardson of the background of the area discussed by Mr. Hall, and the clearance problem, and suggested that now would be a good time to look into solutions for this intersection.

Ms. Cherry Henley ceded her time to Ms. Angie Conn, who expressed disappointment with the promotion of a police officer who was photographed with a white supremacist. She asked for an investigation of the officer’s connection to white supremacy. She shared a social media feed on her phone with Council.

Ms. Katrina Turner shared that Ms. Lolita “Cookie” Smith passed away on May 3<sup>rd</sup>, and she asked for a moment of silence. She advised that the same officer mentioned by Ms. Dorinda Johnson is the officer of whom she has complained for the last several years. She ceded her time to Ms. Kayla Washington, who shared her complaint of Officer Pedro from May 2018, which is still unresolved and continues to receive 30-day extensions. Ms. Walker asked Dr. Richardson to provide an update.

Mr. Elliott Harding spoke in recognition of Mr. Chris Long, an ambassador of the City, who will be returning to the City upon his recent retirement. He read Mr. Long’s biography, including sports and philanthropic accolades in the areas of education equity, early education literacy and access, bringing clean water to East Africa and Tanzania, and fighting for criminal justice reform.

Mr. Caleb Evan spoke of the Charlottesville Police Department and the lack of definition of misconduct to hold police officers accountable from locality to locality. He asked that Council work with the Police Civilian Review Board and/or police department to enact a citywide definition of misconduct, making it a decertifying charge.

Mr. Michael Kelley, property owner on West South Street, spoke of disapproval of the trolley pilot and disappointment in the process, including lack of notification to neighbors and businesses. Ms. Galvin advised that the area is a public right of way; however, before the pilot begins, notices would be sent to private property owners. She advised that the purpose of the

pilot was to gather more information on how this public transit system will best serve the entire area.

Mr. John Gaines, resident, followed up from his visit on May 6, 2019. He presented petitions from Westhaven residents. He spoke of Charlottesville being in turmoil. He then advised of an unpleasant conversation with a Waste Management Department employee. He advised of parking problems on Rugby Avenue and asked whether slot machines are legal in the City. Mr. Blair advised that slot machines are not legal in the City. Mr. Gaines acknowledged individuals who passed away: Ms. Roberts, former Charlottesville Police Department employee and Norman Goins, who worked at Martha Jefferson hospital and was a waiter in the City. He spoke of three unsolved murders of African-Americans in the past 15 – 20 years.

Ms. Joan Fenton of the Downtown Business Association spoke of the trolley rerouting process, advising that it was flawed. She suggested that there needs to be a traffic study before implementing.

Mr. Blair responded to an earlier comment about the certification or decertification of law enforcement officers and advised that there is State Code provision and the State Department of Criminal Justice Services is responsible for certification and decertification.

Mr. Theodore Johnson, City resident, spoke about the lack of parking in the spaces in front of his house because university-permitted cars are parked in the spaces constantly. Dr. Bellamy asked for City staff to research permit parking and look into using funds from the Equity Fund to purchase permits or waive the fee for residential parking permits, and bring back for a future agenda. Ms. Galvin commented that UVa should be responsible if they are using the on-street parking. The studies have already been done.

The meeting recessed at 8:38 p.m.

The meeting reconvened at 8:57 p.m.

## **REPORT: Youth Council presentation**

### Youth Council Report to City Council 2019

Daniel Fairley, Youth Opportunity Coordinator, spoke of the Youth Council's focus on equity in Charlottesville City Schools. The Youth Council focus group findings were presented by members as follows:

- 1) Mr. Ben Yates: Strong Focus on Four-year Colleges, Course Knowledge and Registration, School Lunches;
- 2) Ms. Eve Keesecker: Demystifying College Admissions, Lack of Diversity in Advanced Classes;
- 3) Mr. Harrison Greenhoe: Standard Diploma versus Advanced Diploma, Standardized Testing, and the English As a Second Language student experience; and



4) Ms. Noelle Morris: QUEST Program, Algebra Functions and Data Analysis Course, and Black Student Union demands.

Students previously made this presentation to the School Board.

**APPROPRIATION: Greenstone on 5th Corporation Sponsorship Agreement for Enhanced Police Coverage - \$41,092 (carried)**

Greenstone on 5th FY19 - \$41,092

**RESOLUTION\*: Design Build construction procurement procedures for the City**

Design Build Construction Contracting Resolution

Ms. Jennifer Stieffenhofer, Procurement and Risk Manager, summarized the proposal.

Ms. Galvin asked about the "lowest qualified bidder" requirement. Ms. Stieffenhofer advised that the Public Procurement Act allows for enabling legislation at the local level. Ms. Galvin advised she is interested in a "local hiring" clause.

Ms. Walker asked how the program accounts for equity if three competitive bids are no longer required. She asked about notification of projects. Ms. Stieffenhofer advised that the process includes public advertisement as well as direct invitations to certified businesses that are part of the City's minority business program. Decisions for using the Design Build Construction Contracting method would be made on a procurement by procurement basis.

On motion by Ms. Hill, seconded by Ms. Galvin, Council by the following vote APPROVED the resolution: 4-0 (Signer absent).

**RESOLUTION  
APPROVING PROCEDURES TO GOVERN THE COMPETITIVE PROCUREMENT  
OF DESIGN-BUILD CONTRACTS**

**WHEREAS**, the City of Charlottesville procures goods and services in accordance with the requirements of the Code of the City of Charlottesville, Chapter 22, as well as the Virginia PublicProcurement Act (Code of Virginia, Title 2.2, Chapter 43); and

**WHEREAS**, the Code of Virginia also sets forth enabling legislation within §§2.2-4378 et seq., authorizing a local public body to procure and enter into contracts for construction on a designbuild basis, when the public body has, by resolution, implemented procedures consistent with those adopted by the [Virginia] Secretary of Administration for utilizing design-build contracts; and

**WHEREAS**, the Charlottesville City Council desires to authorize the procurement and award of construction contracts by the City on a design-build basis, and has received procedures prepared by the Purchasing Manager, and the Purchasing Manager has represented that the

proposed “City of Charlottesville Design Build (D/B) Procedures (5/1/2019)” contains provisions that are consistent with those adopted by the [Virginia] Secretary of Administration for utilizing design-build contracts and the City Attorney’s Office has likewise confirmed this consistency;

**NOW, THEREFORE**, be it resolved by the Council of the City of Charlottesville that it does hereby FIND that the City of Charlottesville Design Build (D/B) Procedures (5/1/2019) are consistent with those adopted by the [Virginia] Secretary of Administration for utilizing design-build contracts, and this Council hereby RESOLVES that the Charlottesville Design Build (D/B) Procedures (5/1/2019) are approved for implementation by the City administration for and in connection with the procurement and award of construction contracts. logistical assistance.

### **RESOLUTION\*: Revising A.B.R.T and Setting Funding Priorities**

#### ABRT Revisions Resolution

Ms. Kaki Dimock, gave background of the Agency Budget Review Team revision process and dates of previous meetings where this item was discussed. The most recent meeting was a May 8, 2019 worksession. Based on community feedback, Council asked the workgroup to identify alternative scenarios to the ABRT revision process.

Staff made several recommendations for process improvements.

Ms. Walker asked for further discussion around the name change of the process. She advised that she would like more time to review.

Ms. Galvin asked how the new resolution would foresee collaborating with University of Virginia efforts. She advised that she is not comfortable voting on this item until it has been publicly posted.

Ms. Hill agreed and emphasized the need for a quick turnaround. She asked for Council feedback to staff by Friday, May 24th.

Council agreed to bring the item back for review at the June 3, 2019 City Council meeting.

### **ORDINANCE: Repeal of Charlottesville City Code Section 17-8 (carried)**

#### Trick or Treat Memo and Ordinance

Police Chief RaShall Brackney gave a summary of the Ordinance and background, and advised that the Code does not align with City values or vision.

The item moved to the Consent agenda for the June 3 City Council meeting.

**REPORT: Bike Month - accomplishments/status update on Bicycle/Pedestrian Plan and TJPDC Bike/Ped Plan - written report only**

Bike Ped Plan 2019 Update

**OTHER BUSINESS**

Ms. Galvin spoke about the trolley pilot and asked for Dr. Richardson to bring a presentation of the structure of the pilot.

**MATTERS BY THE PUBLIC**

Mr. John Hall spoke about pay for gas line workers. He also spoke about streetscaping.

Ms. Molly Conger reiterated the difficulty in getting to the magistrate's office.

Dr. Bellamy advised that the City website needs updating or an overhaul for consistency.

The meeting adjourned at 10:05 p.m.