

## COUNCIL CHAMBER - June 17, 2019

### ROLL CALL

The Charlottesville City Council met in regular session on June 17, 2019, with the following members present: Mayor Nikuyah Walker, Vice Mayor Heather Hill, Dr. Wes Bellamy, Ms. Kathy Galvin, and Mr. Mike Signer.

Ms. Walker called the meeting to order at 6:32 p.m.

### ANNOUNCEMENTS / PROCLAMATIONS

Ms. Hill read announcement about a Rugby Ave public hearing.

Ms. Walker announced that the four miler training had begun and would go for twelve weeks, culminating on August 31<sup>st</sup> with a race. She said that 70 individuals were signed up, and the entries would cap at 75.

Dr. Bellamy announced “Run These Streets”, a Community Run being held on Saturday, June 29 to encourage and increase physical fitness and wellness within the African American community, highlight the African American Community within the city, and raise funds for the non-profit We Code, Too.

### CONSENT AGENDA\*

On motion by Ms. Hill, seconded by Ms. Galvin, Council by unanimous vote moved Item 4 climate protection resolutions from the Regular meeting agenda to the Consent agenda.

Ms. Walker opened up the floor for comments on the Consent agenda.

Ms. Nancy Carpenter advised that she was happy to see extended amount of time for residents to find housing.

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

#### **a. MINUTES: May 14, May 20, May 22, and June 3, 2019 Special Meetings**

Minutes - May 14, 2019 Special Meeting

Minutes - May 20, 2019 Special Meeting

Minutes - May 22, 2019 Special Meeting

Minutes - June 3, 2019 Special Meeting

- b. **APPROPRIATION: Appropriation of Human Services Balance for FY 2019 Expenses - \$400,000 (carried)**

APP FY2019 Human Services Fund Balance \$400,000

- c. **APPROPRIATION: Highway Safety Improvement Program - Appropriation of funds for Pedestrian Connections within Hillcrest/Birdwood Neighborhood - \$708,932 (carried)**

APP Hillcrest-Birdwood connections-\$708,932

- d. **APPROPRIATION: Virginia Department of Education Special Nutrition Program Summer Food Service Program - \$100,000 (carried)**

APP Summer Food Service Program appropriation

- e. **RESOLUTION: Transfer of FY 2020 City of Promise Funding to ReadyKids - \$81,837 (2nd reading)**

RES City of Promise Funding \$81,837

**RESOLUTION**

**Transfer of FY 2020 City of Promise Funding to ReadyKids - \$81,837**

**WHEREAS**, The City of Charlottesville, through the Department of Human Services, in coordination with ReadyKids has supported the development of City of Promise since its inception;

**WHEREAS**, the City of Promise has completed the process for incorporation with the Virginia State Corporation Commission and has been notified by the I.R.S. of approval for nonprofit designation;

**WHEREAS**, the City of Promise Advisory Board voted to have ReadyKids serve as their formal fiscal agent until July 2020 to ensure continuity of administrative functions;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the Department of Human Services is hereby authorized to transfer \$81,837 in previously appropriated funding for the City of Promise to ReadyKids for the administration of the City of Promise program.

- f. **RESOLUTION: First Amended Grant Agreement, Charlottesville Supplemental Rental Assistance Program (CSRAP)**

RES CRHA CSRAP amended grant agreement

Ms. Walker moved to AMEND the grant agreement to include under “Itemized Quarterly Reports” whether units are County or City address, and to change 24-month reporting to annual reporting on each family receiving funding. The amendment was seconded by Ms. Hill, and Council APPROVED unanimously.

**RESOLUTION**  
**APPROVING THE CHARLOTTESVILLE SUPPLEMENTAL RENTAL**  
**ASSISTANCE PROGRAM FUNDING AGREEMENT**  
**FOR THE FISCAL YEAR BEGINNING JULY 1, 2019**

**WHEREAS**, on June 19, 2017 the City of Charlottesville approved the creation of a City-funded Supplemental Rental Assistance Program (“CSRAP”), and on May 6, 2019 City Council approved an allocation of \$945,000 from previously-appropriated funds in the Charlottesville Affordable Housing Fund (“CAHF”) to be used for the CSRAP program, which will be administered by CRHA; and

**WHEREAS**, the terms and conditions under which the Charlottesville Redevelopment and Housing Authority (“CRHA”) will administer the CSRAP Program are set forth within a written grant agreement effective for the fiscal year beginning July 1, 2019 which has been reviewed by City Council this same date;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia, **THAT**:

1. The CSRAP program shall be administered by CRHA in accordance with the terms and conditions set forth within the CSRAP grant agreement effective for the fiscal year beginning July 1, 2019, which is hereby approved by this City Council; and
2. The City Manager is authorized to execute the CSRAP grant agreement on behalf of the City of Charlottesville and the City Manager and City staff are authorized and directed to apply the funding allocated above to the CSRAP program in accordance with the terms set out within the CSRAP grant agreement.

- g. **RESOLUTION: Accepting Burnet Commons Development, Phase 2 "The Woods" into the City Street System for Maintenance**

RES Burnet Commons 2 Memo and Resolution

**RESOLUTION**  
**ACCEPTING BURNET COMMONS DEVELOPMENT, PHASE 2**  
**INTO THE CITY STREET SYSTEM FOR MAINTENANCE**

**WHEREAS**, the new portions of Burnet commons, phase 2, have been completed by Burnet

Commons Development LLC, and has asked the City to accept the new portion from Elliott Avenue to Lankford Avenue into the City street system;

**WHEREAS**, City staff has inspected those street sections of Burnet Commons, Phase 2 and recommends acceptance into its street system for maintenance; now, therefore

**BE IT RESOLVED**, by the Council of the City of Charlottesville, Virginia, on recommendation of the City Engineer, that the new street portions of Burnet Commons , Phase 2, including Penick Court, Burnet Way, Roades Court & Somesso Court as shown on the attached drawing, are hereby accepted into the City street system for maintenance. The subject roadway has been built to the specifications and standards required by the city approved plan.

**h. RESOLUTION: Accepting portion of Belmont Cottages Lane into the City Street System for Maintenance**

RES Belmont Cottage Lane acceptance

**RESOLUTION  
ACCEPTING PORTION OF BELMONT COTTAGES LANE  
INTO THE CITY STREET SYSTEM FOR MAINTENANCE**

**WHEREAS**, the new portion of Belmont Cottages Lane has been completed by Habitat for Humanity and has requested the City to accept the new portion of street improvements, from Avon Street to the dead-end, into the City street system;

**WHEREAS**, City staff has inspected that portion of Belmont Cottage Lane and recommends acceptance into its street system for maintenance; now, therefore

**BE IT RESOLVED**, by the Council of the City of Charlottesville, Virginia, on recommendation of the City Engineer, that the new portion of Belmont Cottage Lane from its intersection with Avon Street to Dead-end as shown on the attached map, is hereby accepted into the City street system for maintenance. The subject roadway has been built to the specifications and standards required by the city approved plan.

**i. RESOLUTION: Amendment to Rivanna Solid Waste Authority (RSWA) McIntire Recycling Center Agreement**

RES RSWA Extension - Amendment No. 8

**RESOLUTION AUTHORIZING THE CITY MANAGER  
TO EXECUTE AMENDMENT NO. 8 TO THE AUGUST 23, 2011  
AGREEMENT CONCERNING THE MCINTIRE RECYCLING CENTER**

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia that the City

Manager is hereby authorized to sign Amendment No. 8 the Local Government Support Agreement for Recycling Programs Among the City of Charlottesville, Albemarle County, and the Rivanna Solid Waste Authority.

**j. ORDINANCE: Utility Rate Report FY2020 (2nd reading)**

ORD Utility Rate Report FY2020

**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.**

**+4a. RESOLUTION\*: 2019 City Climate Protection Program - Program Support Grant with LEAP - \$104,920 [Item moved from regular agenda to Consent]**

2019 City Climate Protection Program - Program Support Grant with LEAP - \$104,920

**RESOLUTION**

**2019 Climate Protection Program Support Grant - \$ 104,920**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$104,920 is hereby paid to LEAP from previously appropriated funds in the Gas Fund, Environmental Sustainability Cost Center as follows:  
\$104,920 Fund: 631 Cost Center: 2711001000 G/L Account: 599999

**+4b. RESOLUTION\*: Authorization for City Manager to sign Memorandum of Understanding between the City and the Local Energy Alliance Program (LEAP) for grant funds to support the Climate Protection Program and promote energy performance improvements [Item moved from regular agenda to Consent]**

RES\_MOU-2019 CPP PSA Proposal - LEAP

**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.

On motion by Ms. Hill, seconded by Ms. Galvin, Council by the following vote APPROVED the consent agenda: 5-0 (Ayes: Ms. Walker, Ms. Hill, Dr. Bellamy, Ms. Galvin and Mr. Signer. Noes: None.).

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

Ms. Galvin referenced an email received from a City visitor about upkeep at the City bus transfer station. Dr. Richardson advised that he is following up.

Dr. Richardson gave updates on the following matters:

1. Staff is improving signage at the right-hand turn to the 5th Street Station.

2. In response to Ms. Con's request for gender-neutral single stall bathrooms, he advised that of the 40 restrooms citywide, four are already gender neutral. Staff is acquiring the cost to change the other 36.

3. Regarding Ms. Tanesha Hudson's concern about the appearance of the City Yard, he reported that he is having it cleaned up and will ride with Ms. Hudson to review more areas for maintenance.

### **COMMUNITY MATTERS**

Mr. Walt Heinecke, City resident, spoke about the Sacajawea statue, about elimination of Thomas Jefferson birthday holiday, and about the Agency Budget Review system. He advised of keeping the focus on the non-profit clients and to look at the way the City delivers services. He advised of changing the composition of the team now rather than later.

Ms. Mary Carey, City resident, spoke about the Lewis, Clark and Sacajawea statue. She suggested that the statue should be replaced with a Vinegar Hill monument. She asked Dr. Bellamy for feedback on the merger between CRHA and PHAR.

Dr. Bellamy apologized for not following up formally with Ms. Carey, and he gave an explanation of the relationship between CRHA and PHAR. He invited Ms. Carey to attend the CRHA monthly meeting.

Mr. Anthony Guy Lopez, UVA alumnus and enrolled member of the Crow Creek Sioux Tribe, living in Fairfax, spoke about the Sacajawea, Lewis and Clark statue. He read a letter sent to City Council from Lin Gray, Director of Sacajawea Interpretive, Cultural and Educational Center, urging Council to consult with the family of Sacajawea and members of her tribe for consultation before deciding how to move forward with the statue.

Nelson spoke about difficulties in setting appointments with local officials and violations to the disabled community going ignored.

Mr. Paul Long, City resident, shared a copy of an article about why improvements are needed to the public transit system.

Mr. Harold Folley of the People's Coalition spoke about Police Civilian Review Board (CRB) and the need for a strong board. He asked Council to not bury the CRB bylaws. He asked questions about Council's plans for the CRB. He referenced Pittsburg's CRB as a strong example.

Ms. Kay Slaughter, City resident, spoke about the late Mr. Raymond Bell, who was honored during Juneteenth celebration over the weekend. She spoke about the Drewary Brown Bridge and the Bridgebuilders, and advised that another Bridgebuilder, Mr. Paul Gaston, recently passed away. She voiced that the Drewary Brown Bridge should be a true memorial instead of a token of remembrance. Regarding the Lewis, Clark and Sacajawea statue, she asked Council to preserve the statue. She spoke about the need for a different type of public process.

Mr. John Edward Hall, Fry's Spring resident, proposed an experiment to help the homeless population with overnight camping in tents in the park.

Mr. Michael Payne, Belmont resident, spoke about recent changes to the City's parking garages. He advised that many people do not view the automation of processes as improvements and that citizens are concerned about the potential loss of jobs.

Mr. Don Gathers recommended that Council not contribute funding to a blue ribbon commission to address the statue issue. He advised that the Native American community should be involved in the process and recommended that all the statues be placed in a single park for those who wish to revere them. He spoke in support of ridding the Thomas Jefferson holiday.

Mr. Charles Knight, City resident, spoke in support of leaving the Thomas Jefferson holiday. He asked about the procedure for voting on the Thomas Jefferson holiday.

Ms. Rosia Parker thanked Dr. Richardson for addressing an issue that she has been bringing before City Council for several years.

Ms. Sena Magill, City resident, thanked the City for painting lines on the road at 8<sup>th</sup> and Preston Streets. She thanked Officer Sykes for addressing an abandoned vehicle near her home.

Mr. David Rodes, County resident, shared a story about Liberation Day, from the personal memoir of Richard T. W. Duke, former Albemarle County Commonwealth's Attorney.

Ms. Nancy Carpenter asked Council to pass a strong CRB. She spoke in support of moving the Sacajawea statue out of downtown, possibly to Biscuit Run.

Ms. Tanesha Hudson spoke about an issue with police showing up at a family cookout to advise them of a noise ordinance. She asked that the noise ordinance be revisited. She spoke about an issue with the way whites and blacks are treated in the media, using the articles about credit card usage by Councilors as an example.

The meeting went into recess at 7:30 p.m.

The meeting reconvened at 7:49 p.m.

**ORDINANCE: Amend Section 2-6 of the Charlottesville City Code - City holidays (carried)**

Memo; 2017 Liberation Day Council Memorandum and Resolution

City Attorney John Blair introduced the item and gave background information. He advised that the upcoming agenda for the Albemarle County Board of Supervisors meeting indicates that there is a proposal to replace the Thomas Jefferson holiday with a floating holiday.

Ms. Walker gave historical context of a brutal slave owner society.

Ms. Hill expressed concerns about the logistics of adding a holiday and suggested getting input from staff on the proposed dates.

Ms. Walker advised that the goal is to be intentional about creating equity and send a strong message so that when the record is reviewed years from now, it will show the removal of one celebration and the replacement with a holiday to honor individuals who have not been honored in the past.

Dr. Bellamy addressed concerns from people who want to keep the Thomas Jefferson holiday, stating that there are many other ways in which he is celebrated and recognized daily, and the intent of this proposal is to correct past wrongs.

Ms. Galvin advised that Thomas Jefferson should be recognized for the good that he contributed, referencing the Religious Freedom Act.

Mr. Signer suggested using the holiday to tell a more complete story to educate people. He later advised that he would support the removal of the Jefferson and addition of one day for Freedom and Liberation Day.

Ms. Galvin stated for the record that she would support the March 3 Liberation Day as a legal holiday, but would like to recognize April 13 as an unofficial holiday.

After extensive discussion, Council agreed to bring the items of removing April 13 and creating a Liberation and Freedom holiday to the next Council meeting as an action item.



Council directed Dr. Richardson to get staff feedback. Dr. Richardson advised that he would conduct a staff survey. In response to Council question, Dr. Richardson advised that a paid holiday costs the City \$62,000.

Mr. Blair reviewed logistics of the proposal and the proposed next steps.

### **RESOLUTION\*: Disposition of the Lewis, Clark and Sacajawea Statue**

NDS Director Alex Ikefuna presented the recommendation to set up an 11-member committee and appropriate \$75,000 to the committee for driving the public process.

Ms. Galvin raised several questions regarding cost, composition of the board and original scope of the project.

Ms. Walker referenced the Dignity statue in South Dakota as an example of the way that Sacajawea should be portrayed.

Ms. Hill read a message from a relative of Sacajawea. After discussion, Council agreed that the Native American people need to be involved in the conversation without forming a commission. Ms. Walker suggested having a worksession in early Fall.

Mr. Ikefuna reminded Council that the decision has already been made to move the statue, and Council at a previous meeting directed staff to make a recommendation about a public engagement process.

Mr. Signer read a message from former Mayor Dave Norris, suggesting that the LCS statue be moved to a pocket park so that passersby can spend more time reading about the statue.

Mr. Blair advised of a procedural component that was learned earlier in the day in regard to Section 106 at the Federal funding level. Mr. Ikefuna advised that funding in various phases of the West Main project would be affected if the decision is delayed.

Mr. Jeff Werner, staff advisor to the Historic Resources Committee, gave additional perspective based on communication from VDOT advising that they may contemplate allowing the City to decouple the statue portion of the project and handle it separately.

Ms. Walker called up Mr. Anthony Guy Lopez, as a member of an Indigenous group, to give remarks. After sharing some history, Mr. Lopez suggested the possibility of moving the statue to the Lewis & Clark Exploratory Center and developing Native American educational programs.

Dr. Bellamy asked for Ms. Grace Hayes, member of the Chikasaw tribe, to be allowed to speak as a member of an Indigenous group. She shared her story and the ways that other native people react to seeing the image of Sacajawea on the LCS statue, seeing her in a demeaning

manner. In her experience, some Native American visitors have asked if they are safe in Charlottesville.

Ms. Walker advised authorizing the necessary funds to help native tribal members to attend a worksession with City Council. Mr. Werner advised that there is a binder from the engagement ten years ago, based on work done by the Historic Resources Committee. Mr. Signer suggested using a virtual meeting approach instead of bringing all parties to the city.

Council discussed the parameters for worksession attendees.

Dr. Richardson advised that the earmarked \$75,000 could be used as a guideline for staff, but will likely not be used in its totality.

On motion by Dr. Bellamy, seconded by Ms. Galvin, Council by a 5-0 vote APPROVED the following resolution:

### **RESOLUTION**

**BE IT RESOLVED** by the Council of the City of Charlottesville that the City Manager and the Director of Neighborhood Development Services shall contact the appropriate representatives of Native American tribes to attend a City Council work session in the Fall of 2019 to discuss the Sacajawea, Lewis, and Clark statue. The cost of the work session shall not exceed \$75,000.00.

### **RESOLUTION\*: Revising Agency Budget Review Team (ABRT) and Setting Funding Priorities (carried)**

#### RES ABRT Revisions Council Memo

Ms. Kaki Dimock reviewed the proposed alternative scenario as follow-up to recent meetings discussing changes to the ABRT process. She requested guidance from Council on how to move forward with changes as well as a step-down process.

Ms. Walker suggested that more consideration be given to addressing emergency needs of citizens directly and less concern of how non-profits feel about the changes.

Ms. Galvin suggested adding priority areas such as mental health and re-entry. Ms. Dimock advised of ways that those issues are being addressed and could be enhanced through this process, and mentioned that Council would need to make a decision on whether to focus on the four areas presented or expand to try to encompass more focus areas. Ms. Dimock advised that the University of Virginia and Albemarle County have expressed interest in collaboration based on proposed focus areas.

Ms. Walker guarded against getting bogged down in administrative processes.

Council discussed how to handle funds for the arts.

Ms. Hill questioned how affordable housing would be handled.

On motion by Ms. Galvin, seconded by Ms. Hill, Council by the following vote ADOPTED the resolution with the amendment to add a fifth focus area of Community Safety & Criminal Justice: 5-0 (Ayes: Ms. Walker, Ms. Hill, Dr. Bellamy, Ms. Galvin and Mr. Signer. Noes: None.)

Discussion ensued about agency needs for funding and staff capacity to assess agency needs versus the services provided.

The meeting recessed at 10:42 p.m.

The meeting reconvened at 10:52 p.m.

**RESOLUTION\*: Bicycle & E-Scooter Sharing System (aka "Dockless Mobility") Pilot Program Extension through December 18, 2019**

RES Final Dockless Council Memo with Attachments

Mr. Jason Ness and Ms. Amanda Poncy gave a presentation with background of the scooter pilot program and provided an update on new regulations which have prompted them to request an extension of the program through December 18, 2019, and shared information about scooter ridership statistics.

Survey results compared views of users versus non-users, and results were mixed. Staff reviewed opportunities and lessons learned.

Councilors asked questions about the program and expressed concerns about vandalism, sustainability, carbon footprint and the plan after December 18, 2019.

On motion by Ms. Hill, seconded by Ms. Galvin, Council by the following vote ADOPTED the resolution with the amendment to add a fifth focus area of Community Safety & Criminal Justice: 5-0 (Ayes: Ms. Walker, Ms. Hill, Dr. Bellamy, Ms. Galvin and Mr. Signer. Noes: None.)

**REPORT: Participatory Budgeting Report**

Participatory Budgeting report

Ms. Leslie Beauregard, Assistant City Manager, gave a brief presentation regarding the City's pilot Participatory Budgeting program.

The committee recommended funding a capital project in the Ridge Street neighborhood as capital projects use one-time funds. While the process would be community-driven, staff would provide administrative oversight.

Ms. Beauregard answered clarifying questions for Councilors.

## **OTHER BUSINESS**

Mr. Alex Ikefuna advised of the revenue sharing process with VDOT. He provided an overview of projects proposed for revenue sharing with grant applications for FY2021 and FY2022. Pre-applications are due July 1 and full applications are due October 1.

Councilors expressed concern that these items were presented during Other Business. Councilor Galvin asked about other projects that could have been included. Mr. Ikefuna advised that these projects were chosen based on priority.

Mr. Ikefuna stated that the full staff report would be presented at the July 1, 2019, City Council meeting.

Mr. Signer advised that there should be more transparency when Council is being asked to act. Other Councilors agreed.

Dr. Richardson advised that Councilors would be briefed regarding these projects that require funding from VDOT.

## **MATTERS BY THE PUBLIC**

Mr. Walt Heinecke advised Council that he would send an email.

The meeting adjourned at 11:46 p.m.