

## **COUNCIL CHAMBERS – April 1, 2013**

Council met in regular session on this date with the following members present: Ms. Smith, Mr. Norris, Ms. Szakos, Ms. Galvin, Mr. Huja

### **AWARDS/RECOGNITIONS**

Mr. Huja announced a special election for Treasurer will take place tomorrow. He encouraged citizens to vote.

Mr. Huja read a proclamation declaring April as Child Abuse Prevention Month. Katie-Anne Padalino and two other CYFS staff members were present to accept the proclamation and invited citizens to the Pinwheel Garden tomorrow morning. There will also be a parade on April 23.

Mr. Norris announced that the City Market will open this Saturday, April 6 at 7:00 a.m.

Ms. Szakos announced the next Our Town meeting will be for the Willoughby/Burnett Commons neighborhoods on April 25 at Jackson Via Elementary School from 6:00 p.m. - 8:00 p.m.

Ms. Galvin read a proclamation for Local Government Education Week.

Ms. Smith announced City offices will be closed Friday, April 12 in honor of Thomas Jefferson's birthday. Trash, recycling and transit schedules are not affected.

Ms. Smith said Burnley Moran first graders visited City Hall recently, and Anya Movius, one of the first graders from the class, read a letter.

### **MATTERS BY THE PUBLIC**

Mr. Paul Long, 1410 Grady Ave., asked Council to reject in total the Nelson/Nygaard transit recommendations. He asked Council to help create a regional public transportation authority that includes surrounding counties.

Mr. Kenneth Jackson, resident of Rice, Virginia, said citizens should be careful how they speak about race and be sensitive to minorities. He provided a letter to Mr. Huja that was sent to the City Manager's office. He said DaShad Smith was missing for four months, and he demanded that Council do something about it. RAISE for Sage, a support group for missing people, is moving forward as an organization.

Mr. Brandon Collins, 418 Fairway Ave., said HUD never talked to public housing residents about what their experience has been with the public housing authority. Changes are needed. He asked Council to take CRHA's proposed changes seriously, because it could contribute to increased homelessness.

Ms. Nancy Carpenter, 727 Denali Way, agreed with Mr. Collins about the problems with low income housing. She said there are three recommendations she does not agree with regarding the transit study. The transit hubs, especially the one on JPA by the UVA Medical Center, the shelter is not wheelchair accessible. Please upgrade this hub. There is no safe way for a transit rider to pick up at Sherwood Manor or the Villas without someone standing in a concrete culvert on the new Route 3 onto Old Lynchburg Road. The Elliot Avenue PUD, which will include low income units, has stops along the route, but there will not be direct access along Elliott Avenue.

Mr. Wes Bellamy, 1002 Linden Ave., said he is here with a few HYPE participants who wanted to thank the City for allotting funds for next year. Their cumulative GPA has improved dramatically.

### **COUNCIL RESPONSES TO MATTERS BY THE PUBLIC**

Ms. Smith thanked Ms. Carpenter for her detailed look at the transit study.

Ms. Szakos said Mr. Long's expectations cannot be done easily, and we need to contact our state legislators to make sure there is constant pressure for change. We are working on a transit authority. She also thanked Ms. Carpenter. She welcomed the HYPE group.

Ms. Szakos asked Mr. Jones to respond to Mr. Jackson's remarks. Mr. Jones explained the history of the meetings scheduled and cancelled between Mr. Jackson and staff.

Ms. Galvin said it is her understanding that we have already approved the ability to form a regional transit authority. Mr. Jones said this has been granted by the General Assembly, but we cannot raise the revenue needed to fund such an authority. Without that, the City and County determined they could not form an authority until provided with a sustainable funding source. Ms. Galvin said we are very committed to working on this, and it will take a change at the General Assembly level. She thanked Ms. Carpenter for her remarks. She thanked HYPE for coming. She thanked Mr. Collins for coming and said Council is watching the public housing issue very closely.

Mr. Norris thanked Mr. Jackson for taking the initiative to start RAISE for Sage and making it an asset for our region. He asked staff to follow up on the hub at JPA not being wheelchair accessible. In response to Mr. Collins, he agreed that we cannot balance the budget of the Housing Authority on the backs of our public housing residents.

Mr. Huja said the Housing Authority is not doing anything behind anyone's back. The changes will not make a dent in our budget, but there is a mandate to have a certain amount of money, and we need to make changes that may create a hardship for some people.

## CONSENT AGENDA

Ms. Smith requested item j regarding the Elliott PUD be pulled from the consent agenda to clarify proffer language.

On motion by Ms. Szakos, seconded by Ms. Galvin, the consent agenda passed, with the exception of item j. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Norris, Ms. Smith, Mr. Huja; Noes: None.)

### **CONSENT AGENDA\* (Items removed from the consent agenda will be considered at the end of the regular agenda.)**

#### **a. Minutes for March 18**

Minutes for March 18

#### **b. APPROPRIATION: 2013 Juvenile Accountability Block Grant (JABG) - \$11,111 (2nd of 2 readings)**

2013 Juvenile Accountability Block Grant (JABG)

#### **c. APPROPRIATION: Insurance Settlement for Damaged Police Car - \$20,506 (1st of 2 readings)**

Insurance Settlement for Damaged Police Car

#### **d. RESOLUTION: Charlottesville Climate Protection Program Update and LEAP Fund Appropriation Request - \$100,087 (1st of 1 reading)**

Charlottesville Climate Protection Program Update and LEAP Fund Appropriation Request

#### **e. RESOLUTION: McIntire Exterior Improvements - Fund Transfer from Facilities Repair Account to Facilities Large Cap Account - \$57,417 (1st of 1 reading)**

McIntire Exterior Improvements

#### **f. RESOLUTION: Donation of Surplus Fire Engine to Piney River Volunteer Fire Department (1st of 1 reading)**

Donation of Surplus Fire Engine to Piney River Volunteer Fire Department

#### **g. RESOLUTION: Unplanned Expenses for General Registrar During FY 2013 - \$76,243 (1st of 1 reading)**

Unplanned Expenses for General Registrar During FY 2013

- h. ORDINANCE: Quitclaim Gas Easement to VDOT (Townbrook Crossing/Court in Dunlora Gates Subdivision) (2nd of 2 readings)**

Quitclaim Gas Easement to VDOT

- i. ORDINANCE: Johnson Village PUD Amendment (1st of 2 readings)**

Johnson Village PUD Amendment

- ~~j. ORDINANCE: Elliot Avenue PUD (1st of 2 readings) pulled by Ms. Smith~~**

- k. REPORT: LEAP Update (Annual Reports and Energize!250)**

LEAP Update

**PUBLIC HEARING: City Council's Proposed FY 2014 Budget**

Proposed Budget, Tax Levy & Budget Appropriation for FY 2014

Ms. Beauregard presented to Council. This reflects the amendments Council has made so far. She reviewed budget revenue and expenditure amendments. In response to Mr. Huja, she clarified that we are not proposing any increase in taxes.

On motion by Mr. Huja, the public hearing was opened.

Ms. Rose Brown, from Streamwatch, introduced their new director, Mr. David Hannah. She thanked Council for granting them level funding and gave a brief overview of their operations and activities.

Ms. Betty Fellon, Fox Mountain Rd., said she is a member of the Paramount Education Committee, and she read a letter from a local art teacher. The letter encouraged Council to provide funding for the Paramount Arts program because of its positive impact on City youth.

Ms. Henny Bosworth, Chair of the Paramount Theatre Education Committee, read a letter from Catherine Rogers, a first grade teacher at Clark Elementary, who has organized several field trips for her students to performances at the Paramount Theatre.

Ms. Cathy Von Storch, County resident and Education Coordinator at the Paramount, read a letter on behalf of Jeff Suling, Fine Arts Coordinator at Charlottesville City Schools. The letter encouraged Council to restore full funding to the Paramount.

Ms. Mary Reese, County resident and former Assistant Superintendent of City Schools, spoke on behalf of the Arts Education program at the Paramount Theatre. She encouraged Council to attend a performance with the students to see the effect it has on them.

Ms. Susan Worthington, 1308 Rose Hill Dr., third grade teacher at Jackson Via Elementary School, asked Council to reinstate the 25% budget cut to the Paramount Theatre arts program. She described what the program means to her students.

Ms. Shannon Gellican, 632 Prospect Ave., preschool teacher at Jackson Via Elementary School, said the Paramount Scholarship Fund is important to her students because it enriches their lives.

Mr. Jim Hingeley, Graves St., spoke on behalf of the pay equity proposal for the Commonwealth Attorney's office. He asked Council to bring public defender's pay up to par with the prosecutor's office.

Ms. Llezelle Dugger, 428 2nd Street NE, advocated for public defender's pay. She said the office is losing experienced employees because of parity in pay.

Mr. John Pfaltz, 1503 Rugby Rd., said pension benefits far exceed the City contribution.

Mr. Jeff Fogel, 215 Spruce St., said he supports the proposal to supplement the public defender's office income. All citizens deserve equal representation, regardless of what they can pay.

Ms. Colette Hall, 101 Robertson Ln., said it is unfair for nonprofits to come before Council after the ABRT process has closed. Council should not give in to these requests. She said the police department is underfunded, which is dangerous for citizens.

Mr. Piere Vonton, 320 4th St. SE, spoke on behalf of the CIC, which he said is an important program to Charlottesville.

Ms. Kate Pierce, 1815 Jefferson Park Ave., student at UVA, spoke on behalf of the CIC. She invited Council to experience at Carter's Mountain on May 11 from 6:30 p.m. – 9:30 p.m.

Mr. Nageeb Shroff, 105 Robinson Woods, spoke in support of CIC.

On motion by Mr. Huja, the public hearing was closed.

Ms. Szakos asked Mr. Wray if he thought there was anything new Council should know about in regards to the retirement fund in light of Mr. Pfaltz's comments. Mr. Wray said as long as Council is willing to make the necessary increased payments, there should be no issue for retirees in the future. The Retirement Commission keeps a close eye on such issues and discusses possible modifications to the plan as needed.

Ms. Smith asked about the public defenders pay. She asked if the public defender's office were separated between City and County. Mr. Hingeley said they are a joint, state-funded office.

He explained the logic behind the percentages they are asking for of the City and the County. Ms. Galvin asked if the percentage between City and County may change year by year. Mr. Hingeley said he does envision that would be the case because adjustments would be made based on the previous years' experience. In response to a question from Mr. Norris, Mr. Hingeley said there has been positive response to this proposal by the County Board of Supervisors in concept.

**ORDINANCE: Annual Tax Levy (1<sup>st</sup> of 2 readings)**

On motion by Mr. Norris, seconded by Ms. Smith, the ordinance carried for a second reading.

**ORDINANCE: Annual Budget Appropriation for FY 2014 (1<sup>st</sup> of 2 readings)**

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

**APPROPRIATION: Approval and Appropriation of CDBG & HOME funds for FY 2013-2014 – \$609, 729.43 (1<sup>st</sup> of 2 readings)**

**Approval and Appropriation of CDBG & HOME funds for FY 2013-2014**

Ms. Thackston presented to Council. This agenda item includes project recommendations and appropriations for the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) funds to be received by the City of Charlottesville from the US Department of Housing and Urban Development. She reviewed the CDBG and HOME Project Recommendations for FY 12-13.

Ms. Smith asked what Phase 2 funding is. Ms. Thackston said the full \$200,000 was not requested from applicants, so if any programs that exceed their expectations or another proposal comes through, they can grant money. She said the money could be moved at Council's discretion.

Ms. Galvin said there are organizations under Economic Development that are getting funds who are also asking for funds through ABRT. She asked what the difference is. Mr. Huja asked for the CIC to explain the difference between their requests. A representative from CIC said the money requested from the Charlottesville Housing Fund (CHF) is used to make loans, and the money requested from the City Council budget is used for operational purposes.

Ms. Smith asked for clarification about the Belmont Cottages. Ms. Thackston said these funds will go towards down payment assistance. Ms. Smith said this seems out of balance, and we could get more for our money if we thought about this strategically.

Ms. Szakos asked when the amount of money coming from HUD would change. Ms. Thackston said if it goes down, it will be prorated by whatever the decrease percentage is. She

asked if it is likely to go up or down very much. Ms. Thackston said they are hoping it will be an increase of around 5%.

Ms. Szakos asked who decides what happens to the unallocated \$50,000. Ms. Thackston said it has to go back through the public process and will go back to Council.

Ms. Szakos asked about using allocated money from the CHF for bicycle infrastructure. Ms. Thackston said the project has to be CDBG eligible. Bike improvements may be eligible only if it is in the right neighborhood. Ms. Szakos said she views that as Economic Development, and would rather use money from this than the housing fund for bike infrastructure. Mr. Norris agreed with this proposal.

Mr. Norris said we should adopt and mirror Fluvanna's CIC loan grant. We should consider the \$60,000 for CIC to be our loan fund for Charlottesville-owned businesses that meet the CDBG income guidelines. Ms. Szakos said we should look at the CIC budget more closely before doing this. Mr. Norris said we should consider this through the ABRT process. Mr. Huja agreed that we should use some funding for the loan and proposed a \$50,000/\$10,000 split. Mr. Jones said we should discuss the ABRT request at Thursday's work session, and then amend this appropriation on the second reading as needed based on that discussion.

Ms. Smith said we need low income owner-occupied housing upgrades. We can get a lot for our money if we orient funding to preserving our existing structures. She said the LEAP partnership has multiplying effects.

On motion by Ms. Szakos, seconded by Ms. Galvin, the appropriation of CDBG & HOME funds for FY 2013-2014 carried.

## **REPORT: Albemarle County Service Authority's Payment for Ragged Mountain Property – \$765,000**

### **Albemarle County Service Authority's Payment for Ragged Mountain Property**

Mr. Jones reported to Council. In early 2012, Council entered into a cost share agreement with the Albemarle County Service Authority (ACSA) to determine the funding for the Rivanna Water and Sewer Authority's New Ragged Mountain Dam project. As part of that agreement, the ACSA agreed to provide \$765,000 to compensate the City for the land lost as part of the project. The City has received the funding from ACSA and is now seeking guidance from Council on where to allocate the funding. It is the informal policy of the City to utilize this funding for one time expenditures. There are numerous projects that could be considered for funding. One idea

that seems to be aligned with the previous use of the property at Ragged Mountain is to appropriate the funding to the City's Parkland Acquisition Fund.

Ms. Smith said she wants to buy woodland that is as comparable as we can get to the natural quality of the land that was lost. We should purchase parkland with qualities comparable to the natural and historic character of the parkland. Mr. Norris seconded the idea. He asked if land not in the City may be included in the purchase. Ms. Smith said it could be land close to the City.

Ms. Galvin said if we cannot restore a comparable amount of acreage in wilderness, we could use other metrics to figure out how to best allocate the money. Ms. Smith said she is focused on wooded habitat. Mr. Norris said \$700,000 is not going to go far.

Mr. Huja said he does not agree that the space has to be completely wooded and would like to see at least part of the money used to replant trees in the City. Ms. Smith said the best way to do this is to buy parkland with mature trees. Ms. Szakos said a fair amount of our parkland that we have already purchased does include wooded areas. She does not want to put such a restriction on a purchase.

Ms. Szakos said she would like to use some of this for parkland maintenance in order to make future parkland purchases useable.

Ms. Galvin said we could restore funding for tree plantings to the capital budget. Street trees are extremely valuable.

Ms. Szakos said we could use this for parkland and preparation, such as trees or removal of invasive species, but not for buildings.

On motion by Ms. Smith, seconded by Mr. Huja, Council voted unanimously to allocate the money for parkland and preparation, but not for buildings.

### **ORDINANCE: Elliot Avenue PUD (1<sup>st</sup> of 2 readings)**

#### **Elliot Avenue PUD**

Ms. Smith said there is a disconnect between the proffer and the narrative. She said partnering with public housing should be in the proffer.

Mr. Don Franco, on behalf of Habitat and Southern Development, addressed Council. The minimum number of affordable housing units will be 18, but it is unknown until the project gets underway, depending on what is required. Mr. Franco said they are targeting 20, but the bare minimum will be 18. Ms. Smith asked about partnering with low income housing. Mr. Rosensweig said this is all spelled out in the contract. They are partnering with public housing.

Ms. Davies said the proffer needs to be accepted as is, or it must be referred back to the Planning Commission.



Ms. Smith said the Climate Change Protection report shows that 75% of our emissions come from our built environment. It would be great to move toward energy star, because our residential outputs have gone up.

On motion by Mr. Norris, seconded by Ms. Szakos, the ordinance carried.

## **MATTERS BY THE PUBLIC**

Mr. Brandon Collins, 418 Fairway Ave., said the public housing meeting on Wednesday night will not actually have public comment. He asked Mr. Huja to open this meeting up to public comment. He said some of HUD's suggestions are just suggestions and not mandates. He said there are so many significant changes in the transit plan that a work session is needed before Council makes a decision. TRAC (Transit Riders Association of Charlottesville) requests that Council do this.

Mr. Scott Bandy, 1639 Cherry Ave., asked Council to consider an honorary street designation for Jefferson Park Avenue between the Maury and Fontaine intersection to the terminus with Camilla and Harris for Fry's Spring Beach Club. Staff directed him to the form requesting honorary street name designations.

## **COUNCIL RESPONSE**

Ms. Galvin asked about a public hearing at the upcoming Public Housing meeting. Ms. Davies said the first session is a work session to get the board up to speed on the HUD document. Subsequent sessions for neighborhood engagement would be scheduled at that meeting.

Ms. Smith said we have the power to impact our emissions, especially in residential, old leaky houses. Ms. Szakos said home owners should talk to LEAP and the credit union about funding and low interest loans available for this purpose. Mr. Huja said we have money set aside in the CIP for this purpose as well.

The meeting was adjourned.

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Clerk