

## **NOTICE OF SPECIAL MEETING**

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, June 17, 2013, AT 6:00 p.m. IN THE Second Floor Conference Room.

THE PROPOSED AGENDA IS AS FOLLOWS:

Closed session as provided by Section 2.2-3712 of the Virginia Code

BY ORDER OF THE MAYOR

BY Paige Barfield

### **SECOND FLOOR CONFERENCE ROOM – June 17, 2013**

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

On motion by Ms. Galvin, seconded by Mr. Norris, Council voted, (Ayes: Mr. Huja, Ms. Galvin, Ms. Smith, Ms. Szakos, Mr. Norris; Noes: None), to meet in closed session for (1) Discussion and consideration of prospective candidates for appointment to City boards and commissions, as authorized by Va. Code sec. 2.2-3711 (A) (1); and, (2) Consultation with legal counsel regarding specific legal matters involving a proposed “Administrative Order on Consent” and “Consent Agreement and Final Order” with the Environmental Protection Agency, as authorized by Va. Code sec. 2.2-3711 (A) (7).

On motion by Ms. Galvin, seconded by Ms. Smith, Council certified by the following vote (Ayes: Mr. Huja, Ms. Galvin, Ms. Smith, Ms. Szakos, Mr. Norris; Noes: None), that to the best of each Council Member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion convening the closed session were heard, discussed or considered in the closed session.

### **COUNCIL CHAMBER - June 17, 2013**

#### **CALL TO ORDER**

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

#### **AWARDS/RECOGNITIONS & ANNOUNCEMENTS**

Ms. Smith read a resolution in support of the Clean Air Act.

Ms. Galvin announced the City outdoor pools are open for the 2013 summer season. Go to [www.charlottesville.org/parksandrec](http://www.charlottesville.org/parksandrec) for more information.

Mr. Norris announced "An Evening of Jazz" on Saturday, June 29 at the Carver Recreation Center. Please go to [www.charlottesville.org/parksandrec](http://www.charlottesville.org/parksandrec) to register online, or call 970-3053 for information on how to register in person.

On motion by Mr. Norris, seconded by Ms. Szakos, the following appointments were made to Boards and Commissions: to the CRHA: Keith Woodard, Julie Jones; to the ACRJA, Roger Richardson, Kathy Harris; to the CDBG: Marnie Allen; to the PVCC Board, Rev. Edwards and Robert Hodous. (Ayes: Mr. Norris, Ms. Szakos, Mr. Huja, Ms. Galvin; Noes: Ms. Smith).

Mr. Huja requested to move Adoption of the 2013 Comprehensive Plan to the end of the agenda.

## **MATTERS BY THE PUBLIC**

Ms. Naomi Roberts, 1140 St. Clair Ave., spoke about Virginia Organizing. She said the City should take the \$12,000 given to VOP for anti-obesity and redirect it to the Thomas Jefferson Health District and give \$5,000 to the Virginia Boys & Girls Club. VOP is a political organization in disguise. Council should audit VOP to see how they are spending their money before allocating more tax dollars to them.

Mr. Rit Venerus, Earlysville, gave an update on damage to residential homes near the airport. He asked Council to pass the resolution on their agenda supporting a directive to halt blasting at the airport.

Mr. John Woodruff, Co-Owner of Beer Run at Meade Ave. and Carlton Rd., asked Council to reconsider widening the Meade Ave. multi-use trail. He described the interactions he has had with staff and management regarding this issue. He said City Walk trail will not open until June 2014, and Beer Run has to operate in the meantime. He asked if the project can wait.

Mr. Joshua Hunt, Co-Owner of Beer Run, said they are concerned about the City Walk project. He urged the City not to do irreparable damage to the businesses that depend on the parking scheduled for removal once the project commences. He asked for an alternative to removing parking.

Ms. Dawn Woodford, Patton St., thanked Mr. Norris for being a voice for lower income and working class residents in Charlottesville and asked Council to continue to make affordable housing and affordable rent a priority. She said she does not come to the Downtown Mall anymore since the free parking lots have been removed. She asked the City to provide information on which stores validate for parking.

Mr. Al Page, 806 Page St., thanked Mr. Wes Bellamy for running a heroic campaign for City Council. He said Black residents have to form a new political party to combat elitism.

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

Mr. Huja said the parking issue near Beer Run will be on the Council agenda for July 1.

Ms. Smith thanked the owners from Beer Run for attending and said we are working to find an interim solution. We are looking to create a more vibrant pedestrian corridor, and we value the successful businesses in this area. She asked citizens to continue encouraging Council to be fair.

Mr. Norris thanked Ms. Woodford for being a voice for people who do not often attend these meetings. He said Council is working to find a way to maintain the same number of parking spaces even once City Walk has been opened. There is a misconception about Virginia Organizing; they play a helpful role in serving as a fiscal agent for small non-profit organizations.

Ms. Szakos said she did disclose her connection with the Director of VOP, and no one in her family gets any benefit from the City's monetary decisions. She said she is glad the Beer Run owners are doing well and believes they will ultimately benefit from this project. The trail plan has been in place since before Beer Run existed, and while the success of the business may cause temporary growing pains, this project will ultimately benefit the business. She said affordable housing is very important. She said Mr. Bellamy's candidacy shows that every vote matters.

Ms. Galvin said it is important to note that of 31,000 registered voters, only 2,500 votes were cast on primary day. There is a lot of work to do City-wide to get the vote out. The Democratic Party will benefit from this just as much as anyone else. She said she is concerned that somehow the Meade Avenue project has not been coordinated, and everyone knew about it at some point except the owners. We are going to work and improve on this. We are increasingly aware of ensuring adequate employment opportunities in addition to affordable housing.

## **CONSENT AGENDA**

Ms. Smith asked to defer approval of the June 3 minutes.

Mr. Huja asked if we are able to require a franchise fee. Mr. Brown said we could charge a right-of-way fee, but we have never opted to do so. There are some disadvantages to charging the fee, but staff can provide Council with a report on the options. Mr. Huja said he would like a report, but he does not wish to pull this item.

On motion by Ms. Smith, seconded by Ms. Galvin, the consent agenda was approved. (Ayes: Ms. Smith, Ms. Galvin, Ms. Szakos, Mr. Norris, Mr. Huja; Noes: None.)

- a. **Minutes for May 20, ~~June 3~~**
- b. **APPROPRIATION: Contribution from Albemarle County Service Authority for**

**Ragged Mountain Project- \$765,000 (2nd reading)**

Contribution from Albemarle County Service Authority for Ragged Mountain Project

- c. **APPROPRIATION: Domestic Violence Services Coordinator Grant - \$44,336 (carried)**

Domestic Violence Services Coordinator Grant

- d. **APPROPRIATION: Virginia Commission of the Arts Challenge Grant - \$5,000 (carried)**

Virginia Commission of the Arts Challenge Grant

- e. **RESOLUTION: Acceptance of Donation of Property from KIMCO**

Acceptance of Donation of Property from KIMCO

- f. **RESOLUTION: Transfer of Funds for Fontaine Fire Station Capital Project - \$6,640.59**

Transfer of Funds for Fontaine Fire Station Capital Project

- g. **RESOLUTION: Purchase of Land for Greenbelt Trail and Park Land**

Purchase of Land for Greenbelt Trail and Park Land

- h. **ORDINANCE: Increases in Certain Parking Fines (2nd reading)**

Increases in Certain Parking Fines

- i. **ORDINANCE: Franchise Agreement for Teleconnect Long Distance Services and Systems Company (2nd reading)**

Franchise Agreement for Teleconnect Long Distance Services and Systems Company

- j. **ORDINANCE: Homeowner Tax Relief Grant - 2013 (2nd reading)**

Homeowner Tax Relief Grant - 2013

- k. **ORDINANCE: Amendment to Retirement Ordinance (carried)**

**I. RESOLUTION: Charlottesville-Albemarle Regional Airport Runway Extension Project**

Charlottesville-Albemarle Regional Airport Runway Extension Project

**PUBLIC HEARING / ORDINANCE: Release of Easements across 301 West Main Street (carried)**

Release of Easements across 301 West Main Street

Mr. Brown presented to Council. Easements must be released because their present location conflicts with development of a hotel at 301 W. Main St.

On motion, the public hearing was opened.

Mr. Preston Lloyd, Attorney at Williams Mullen for the applicant, said they are happy to answer any questions that Council has.

Having no further speakers, the hearing was closed.

Ms. Smith asked if any of the lines will be enlarged.

Mr. Lloyd said the current proposal will route the lines down the current right-of-way adjacent to the property. It does not enlarge them to his knowledge.

Ms. Smith asked if the lines need to be enlarged to serve the hotel. Mr. Tolbert said these lines were approved as part of the site plan process and are known to meet the needs of the proposed development.

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

**RESOLUTION: Emmet Street and Hydraulic Road Signal Coordination**

Emmet Street and Hydraulic Road Signal Coordination

Mr. Tolbert presented to Council. Mayor Huja and City staff were recently invited by County officials and staff along with Virginia Department of Transportation (VDOT) representatives to attend a presentation conducted by Rhythm Engineering, creators of the InSync Adaptive Traffic Signal Technology. The purpose of the meeting was to review the benefits of the InSync technology and discuss its potential to benefit travel along the Route 29/Emmet Street corridor. The City expressed interest in Emmet St. to 29/Hydraulic intersection.

Mr. Tolbert reviewed the potential benefits of this type of project. Staff is requesting funding to synchronize the nine signals at Emmet Street and two signals at the intersection of

Hillsdale/Hydraulic and Route 250. The \$450,000 request is a very rough estimate based on the estimates VDOT provided to the County. This would come from the CIP fund.

Mr. Huja said this is the kind of traffic improvement we want to encourage in our City. He requested Council's support. Ms. Szakos agreed and said this is cheaper than building new lanes. It is important to remember that the County was able to get state funding because their section is a state highway, and ours is not. Also, this is not just about synchronizing signals; this uses technology to try to coordinate the lights based on traffic from side streets.

Mr. Huja asked staff to approach the University to see if they would contribute, because this affects some of their intersections as well.

Ms. Galvin asked why this was a contingency. Mr. Tolbert said this came to us because of the County/VDOT coordination. Ms. Szakos said there have been studies that gave us new information that this works. Mr. Norris said he also wonders why this project does not have to get in line with other CIP requests. He asked how much this would leave in the CIP fund. Mr. Watts said staff has determined that the level of the fund remains sufficient to cover what may come up during the course of a normal fiscal year.

Ms. Smith asked if there were alternate funds available to us for this project. Mr. Tolbert said the best we could do was to apply for a competitive cost-share program. Ms. Smith asked if this allocation would preclude us from doing that. Mr. Tolbert said it would. Ms. Smith asked if the County can do their part, and we could add on later. Ms. Szakos said if we do this now, it will give us data to apply for a revenue sharing grant to apply this technology along Meadowcreek Parkway.

Ms. Smith said we should not do this piecemeal. Ms. Galvin said we should in fact do this now so that it is not a piecemeal project.

On motion by Ms. Szakos, seconded by Mr. Huja, the resolution was approved. Ms. Szakos asked that this include a request for staff to examine future funding opportunities. (Ayes: Ms. Galvin, Ms. Szakos, Mr. Huja; Noes: Mr. Norris, Ms. Smith.)

## **REPORT: Parking Fines Waiver**

### Parking Fines Waiver

Mr. Watts presented to Council. He said the equipment used records the plate number, and it is difficult to determine what type of visitor the vehicle is. It would take three to six months to make the necessary changes to equipment and computers to implement a waiver program. He outlined different approaches, which include waiving the first time fee for everyone, at an estimated cost of \$55,000, or enhancing the appeals process to include questioning the offender on whether they are a visitor and waive fees depending on the answer, at an estimated cost of \$20,000). Council should give staff direction on how to proceed so a revised ordinance can be drafted to implement the change.

Mr. Huja said he suggested this to accommodate visitors and was satisfied with the \$20,000 solution. Ms. Szakos said she initially supported this not only for visitors, but for others who make a mistake or do not come downtown very often. She said she supported an appeals process, but she said we should do not ask whether or not they live here because she does not care. We could check whether they have ever had a ticket.

Ms. Galvin asked if we have anything to help employers identify parking for their employees. Mr. Watts said some employers use pre-tax dollars to provide a benefit for their employees who have to pay for parking. Mr. Watts said staff could reaffirm this option with the Chamber of Commerce.

Ms. Smith asked for staff to provide Council with a list of parking options for downtown employees. Ms. Szakos asked about exploring ride share programs.

Mr. Norris said he would rather use this money to explore creative ways to provide affordable alternate parking for downtown employees, especially low income employees. This would better address the root of the problem. Ms. Szakos said this is a great idea but does not have to be done instead of the ticket waiver program.

Mr. Norris said first time tickets should be waived from a certain date forward instead of going back to check past records. Ms. Galvin said this may be very expensive for the first year.

Mr. Huja reiterated that the language on the ticket should be polite and helpful.

Ms. Galvin reiterated that Council has created a charge for staff to look into a comprehensive strategy to creative affordable parking for downtown employees. Mr. Watts said staff will prepare a memo detailing existing strategies.

Ms. Szakos said we should not waive tickets for everyone going forward. Council agreed that the appeals process would only be applicable if you have never received a ticket previously.

## **REPORT: Impact of Affordable Healthcare Act**

### **Impact of Affordable Healthcare Act**

Mr. Beck presented to Council. The City is in compliance with all current requirements and is positioned to comply with remaining known requirements as they become effective.

Ms. Smith asked what the changes to women's coverage were. Mr. Beck said they were mostly on the preventative side.

Council thanked Mr. Beck for his report and supported staff's plan for moving forward.

**RESOLUTION: Adoption of the 2013 Comprehensive Plan****Adoption of the 2013 Comprehensive Plan  
Comprehensive Plan (addendum)**

Mr. Huja said the Planning Commission and neighborhoods have had a number of discussions about this. There were many changes received from Ms. Smith, most of which staff believes are reasonable.

Ms. Szakos said the comments Ms. Smith made were very comprehensive and change a lot of the plan. The rest of Council saw this as an update of the plan, not a reworking of the plan. She said if we are going to make this an entirely new plan, we need to start over. Ms. Smith said it took her by surprise that this was on the last Council agenda for adoption when Council had not yet gotten a chance to discuss it. She said she never intended her suggestions to be reviewed and incorporated at the level they were.

Ms. Galvin said she does not mind going point by point through Ms. Smith's recommendations and discussing why items are appropriate or not.

Mr. Huja said there has been a lot of community input. Ms. Smith said these were great meetings, but they did not look at the draft plan on the whole. She said the document should be linked to strengthen it.

Ms. Galvin said staff did an excellent job of incorporating the large amount of public comment and the different organizational bodies that were involved.

Ms. Smith said we are missing the last piece of allowing the community to hear Council discussion on the final draft plan. She requested a work session for this purpose.

Mr. Norris asked Ms. Smith to share her original email with Council.

Ms. Szakos asked Ms. Keller if the Planning Commission would be willing to participate in a work session. Ms. Keller said they would.

Mr. Huja said Council will hold a work session regarding the Comprehensive Plan and invite Planning Commissioners to attend. This work session will take place on August 1. Council will come to some conclusions and adopt the plan at the following Council meeting.

Mr. Norris said he would not be able to attend, but he is comfortable with Council proceeding.

Mr. Watts asked Council to send their comments to Ms. Creasy so they can be coordinated in preparation for the August 1 work session.



## **MATTERS BY THE PUBLIC**

Ms. Naomi Roberts, 1140 St. Clair Ave., said some of the projects going on now in the City are not hiring Caucasians and Blacks, but only Hispanics. She asked if Council could require developers to hire local Black and White workers as well as Hispanics.

Ms. Shymorea Cooper, 713 6th Street SE, said the CRHA is at its all-time worst because of poor living conditions and rude, incompetent staff. There are resident commissioners who have not shown up to several meetings but still receive stipends.

Ms. Deirdre Gilmore, 613 Hinton Ave., said she agreed with Ms. Cooper's statements. Nothing is done when residents complain, and something must change. She thanked Mr. Norris for his support of the lower-wealth and working poor communities. Black citizens have trouble getting jobs, and this is why they go back to their old ways. She said the Housing Authority application was changed to be twelve pages long, making it impossible for some of the residents to complete an application and be competitive.

## **COUNCIL RESPONSE**

Ms. Szakos asked our attorney if we can explore options for encouraging our contractors to give preference to local workers of all races. Ms. Galvin seconded this sentiment. Mr. Brown said he will look at this, but there are legal restrictions to what we can dictate to the private sector. Ms. Galvin said we should also explore incentives.

Mr. Norris said we need to explore how to grow jobs and provide access to climbing the economic ladder, particularly in the skilled trades jobs.

Meeting adjourned.