NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Tuesday, January 17, 2012, 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 – January 17, 2012

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

On motion by Ms. Szakos, seconded by Ms. Smith, Council voted (Ayes: Ms. Galvin, Ms. Smith, Mr. Huja, Mr. Norris, Ms. Szakos; Noes: None) to meet in closed session for (1) Discussion and consideration of appointments to City boards and commissions, and discussion of the annual performance evaluation of the City Manager, as authorized by Virginia Code sec. 2.2-3711 (A) (1); and, (2) Consideration of the acquisition of real property near 5th Street, S.W. for use as public street right-of-way, where discussion in an open meeting would adversely affect the negotiating strategy of the City, as authorized by Virginia Code sec. 2.2-3711 (A) (3).

On motion by Ms. Galvin, seconded by Ms. Szakos, Council certified by the following vote (Ayes: Ms. Galvin, Ms. Smith, Mr. Huja, Mr. Norris, Ms. Szakos; 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 CHAMBERS – January 17, 2012

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

ANNOUNCEMENTS

Ms. Szakos announced “HYPE” – Help Young People Evolve, a boxing and mentoring club, which meets every Wednesday, Thursday and Friday 4-6pm at Tonsler.

Mr. Huja presented a Reentry Recognition award from the Governor of Virginia to Mr. Mike Murphy, along with Jim Shea and Brenda Lambert, for their leadership in furthering reentry at the local level. Mr. Murphy thanked Council for their support and thanked the community members who have made this program possible.

Mr. Huja announced that City Hall is closed February 20th for President's Day.

MATTERS BY THE PUBLIC

Mr. David Swanson, 707 Gillespie Ave., brought a peace lily to Mr. Huja. He asked those in the audience who support peace to stand. He asked Council to support the peace resolution and spoke against going to war in Iran.

Ms. Kim Rollin, 210 Sunset Ave., thanked Council for the work they have done so far on the disparity of the number of people of color in supervisory positions. She expressed concern over the response rate, especially from minority groups.

Ms. Thomasine Wilson, 4080 Cypress Pointe Dr., thanked the City for improving access for minorities to supervisory positions. She asked about lack of opportunity for training and mentoring for people of color. She said it is necessary for the city to provide more concrete information on plans to improve support systems and communication.

Mr. Larry Bishop, 2673 Castle Rock Rd., encouraged Council to adopt the peace resolution before them tonight without revision.

Mr. Tony Russell, 1404 Grace St., said the peace resolution says exactly what needs to be said on behalf of community members and people nationwide. He supported opposing war in Iran on a local level.

Ms. Ira Bashcow, 2101 Tarleton Dr., said he appreciated that Council seeks to pass a peace resolution. Accepting Iran as a legitimate object of U.S. action differentiates the original resolution from a watered down version.

Mr. Brandon Collins, 536 Meade Ave., said language that alters the peace resolution is off topic and does not capture the spirit of the resolution. He encouraged Council to be one of the first in the nation to pass this resolution.

Mr. Phillip Jones, 101 Forest Hill Ave., said street markings for the crosswalk at Buford School at Forest Hills Ave, the crosswalk at 7 ½ street, and the fire hydrants at Forest Pines Ave are a safety hazard for the children and community members.

Ms. Helena Cobban, 206 Alderman Rd., said none of the promises about the Iraq war came to be true. She explained her expertise in the Middle East and said main stream media is feeding us a diet of lies. The cost of the war in Iraq has shattered our community.

Mr. Brian Wimer, 704 Belmont, asked for Council's support of "Project *Gait*way, the Belmont Bridge design competition that aims to devise an acceptable plan for rebuilding the bridge. He asked Council for $2,000 in support of the competition and asked for a representative from Council to serve as a judge.

Mr. Morgan Butler, 201 W. Main, speaking for the Southern Environmental Law Center, said the Virginia Supreme Court ruling this past Friday says local governing bodies cannot grant waivers. He asked for the critical slopes ordinance to be pulled from the agenda for revision in order to achieve the balance the resolution intended.

Mr. Stratton Salidis, 704 Graves St., said there are links between local choices and national choices. We are not moving towards a pedestrian-centric lifestyle, but increasing our dependence on oil. Please stand up for the people of Charlottesville and a healthier way of living in the world.

COUNCIL RESPONSES TO MATTERS BY THE PUBLIC

Ms. Smith thanked everyone for coming, especially those speaking in support of the peace resolution. She requested that the peace resolution be moved up on the agenda. She requested that Mr. Jones' issues regarding the Forest Hills area be addressed.

Mr. Norris echoed Ms. Smiths' sentiments. He also supported Project Gaitway and City funding for it. Ms. Smith agreed.

Ms. Szakos clarified the areas of trouble Mr. Phillip Jones brought forward and asked staff to address them. She thanked citizens for reiterating that peace is a local issue. She asked that Project Gaitway be added to a future agenda. She asked Mr. Tolbert for clarification on the Critical Slopes decision and how that impacts the ordinance. Mr. Tolbert said staff is studying the issue but asked Council to adopt the ordinance on second reading. The waiver portion is invalid, but other things in the ordinance make passing legitimate slopes requests during the transition period easier to deal with. Ms. Szakos encouraged staff to deal with it quickly. She thanked people for coming forward regarding lack of minorities in supervisory positions and requested a work session to examine what we can do programmatically and through training.

Ms. Galvin said she was interested and concerned about the minority issue and would also like a work session on the topic. She supported the Gaitway Project. She said she understands the dynamics surrounding the Peace Resolution extremely well and does not take it lightly, especially because of her background. She thanked everyone for sharing, even if there were differences of opinion.

Mr. Huja asked for staff response on the issues Mr. Jones brought forward and for a report at the next meeting.

Ms. Smith asked if we should pull the slopes ordinance from the consent agenda. Council agreed that we could make necessary changes at a later date and decided not to pull it from the agenda.

On motion by Mr. Norris, seconded by Ms. Szakos, Council made the following appointments to boards and commissions (Ayes: Ms. Smith, Mr. Norris, Ms. Szakos, Mr. Galvin, Mr. Huja; Noes: None): to the Airport Commission, Mr. Don Long; to the JABA Board of Directors, Ms. Elayne Philips; to the Sister City Commission, Ms. Babs Fickes.

CONSENT AGENDA

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

a.	Minutes of January 3 and January 5	
b.	APPROPRIATION:	Azalea Park Improvements Grant - $100,000 (2nd reading)
c.	APPROPRIATION:	Community Attention Youth Intern Program - $10,000 (2nd reading)
d.	APPROPRIATION:	Virginia Fire Department Programs Grant - $99,796 (2nd reading)
e.	APPROPRIATION:	Westhaven Clinic Funding - $7,000 (2nd reading)
f.	APPROPRIATION:	Reimbursement for Traffic Signal Improvements - $19,454 (2nd reading)
g.	APPROPRIATION:	Multiforce Systems Corporation Reimbursement - $13,000 (carried)
h.	APPROPRIATION:	FY2012 Friendship Court Sponsorship Agreement (3rd Quarter) - $22,130.50 (carried)
i.	ORDINANCE:	Amendments to Critical Slopes Regulations (2nd reading)

RESOLUTION: PEACE RESOLUTION

Mr. Huja said a peace resolution was brought forward at the last Council meeting for adoption. Ms. Galvin suggested some changes to the resolution. She said she supported sentiments of the original resolution but wished to include revised language to respect the service of troops so far and respect the Office of the President. The original resolution is too specific.

Mr. Norris said he thought the original resolution as drafted was clear and backed by data evidence. This resolution does nothing to demean the service of men and women in uniform. He said it was a good amendment to add calling on Congress and the President. It's critically important that we specifically name Iran, because that is where the warmongering is happening now. He offered a friendly amendment that talks about ways in which the savings from scaling back our military adventurism abroad can be

realized locally. Reducing the national debt is also another benefit from scaling back our bloated military budget.

Ms. Smith thanked Ms. Galvin for being so thoughtful about this resolution and thanked her for her contribution, but said she did not think the amendments were necessary.

Ms. Szakos said she did not see any reason to change the resolution.

Mr. Huja said peace is an important concern for every one of us. The changes suggested by Ms. Galvin make a stronger resolution. He was concerned about highlighting Iran alone and not mentioning other countries, like North Korea.

On motion by Mr. Norris, seconded by Ms. Smith, Council approved the resolution as posted on the website, which included Iran. Ms. Galvin abstained from voting because of her aforementioned objections to some of the language in the resolution.

PUBLIC HEARING/ORDINANCE: PARTIAL VACATION OF PLAT – DAVIS FIELD TEMPORARY TURNAROUND (carried)

Mr. Brown presented to Council.

Mr. Huja opened the public hearing.

Ms. Debroh Dolmich, 721 Village Rd., representing Ms. Mildred Cosner at 613 Davis Ave., who resides in the house adjoining the partial road that was put into the field, said the road is the only access to the field. She asked if this resolution would affect the partial access road by widening it or taking in adjoining properties.

The public hearing was closed.

Mr. Brown said the ordinance does not have any effect on the existing paved access street that runs off Davis Ave.

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

PUBLIC HEARING: WATER SUPPLY PLAN

Mr. Jones presented a power point presentation to Council on the Community Water Supply Plan. He reviewed the Ragged Mountain Dam Height, the cost share agreement and the Ragged Mountain Dam project agreement. He also reviewed benefits

of the community water supply plan to the city, including an estimated decrease in rates in the near term.

Ms. Smith said there were a lot of details that were not explained. The 15% cost does not satisfy our demand for 50 years. She asked for clarification on the cap.

Mr. Norris asked if the City's demand is as projected by AECOM, factoring in the costs that we have already incurred, what the actual cost would be to the City for the agreement before us tonight.

Ms. Smith said the premise of the rates going down is that we are paying reserves of 27%, but now we are paying 15%. That assumes that we will no longer be charged for reserves. Mr. Brown said he would assume our share of reserves would be 15%. Mr. Norris said the breakdown of costs is based on agreement from 2003. He asked what the City's share was of the allocation from 2003. Mr. Brown said in 2003 the assumption about safe yield was that it was 12.0 mpg, which has been revised now to 12.8. Mr. Norris said we are losing allocation. He asked what the cost was to make sure we have enough water to meet the City's needs, which includes UVA, over the next 50 years. Mr. Brown said AECOM shows that demand in 2060 will be 7.74MGD. Ms. Smith asked for current allocations versus projected allocation. Mr. Norris asked how much we are being compensated for the timber from Ragged Mountain. Mr. Brown said there is not a separate amount from the compensation paid to the City for use of the land.

Ms. Smith asked what the difference was between the allocation of what we have currently and how much of that the City is being given going forward. Mr. Brown said the math that was used was to look ahead 50 years and to account for the reduction due to sedimentation from the Gannet Fleming study.

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

Mr. Neil Williamson, 550 Hillsdale Dr., with the Free Enterprise Forum, supported the community water supply plan

Mr. Bob Hodous, 1309 Lester Dr., said Council should pass all three resolutions.

Mr. Toan Nguyen, 710 Lyons Ct., owner of Cville Coffee, asked Council to pass the resolutions.

Mr. Timothy Hulbert, 2246 Brandywine Dr., said the Chamber supports the water supply plan. He thanked Mr. Jones and Mr. Brown for putting together a reasonable allocation of costs for a plan to move this community forward. He asked Council to approve the plan.

Mr. Brandon Collins, 536 Meade Ave., said the water supply plan will make it a lot harder to do what we need to for the people of the community. He said the public hearing seems meaningless, and Council owes the public answers.

Ms. Robbi Savage, Executive Director at the Rivanna Conservation Society, thanked Council for their tireless work to develop the water supply plan and cost allocation agreements. RCS continues to support the plan because it is the only plan that will meet our water supply needs while protecting our rivers. We think it is also the least expensive alternative. Please approve all three resolutions.

Mr. Stratton Salidis, 704 Graves, asked Council not to approve the water supply plan. Information has been skewed in favor of building the dam. The County bullies the City and manipulates information.

Ms. Linda Goodling, 740 Meechums West, with the League of Women Voters of Charlottesville/Albemarle, said the League has been an advocate for watershed protection for over 25 years. They support going forward with the water supply plan.

Ms. Emily Sloan, 106 Azalea Dr., said she opposes the water plan. We cannot base decisions on outdated studies.

Ms. Carolyn Burgess, 706 Gillespie Ave., said the cost sharing agreement has been fast forwarded. She said Ms. Smith should have been appointed to the water board because voters elected her based on her knowledge of the issues.

Ms. Rebecca Quinn, 104 4th St. NE, said Council should use HDR bathometry for updating the water supply agreement. Do not approve an agreement based on a water capacity that you know is inaccurate.

Ms. Susan Dempsey, 2417 Jefferson Park Ave., said this plan only allocated water for the next 30 years, not 50 years.

Mr. Dan Bieker, 4174 Laird Ln., said the environment is the big loser in this water supply plan. It is important to accurately calculate stream flows. He said we should not cut the timber during peak breeding season. The City should put the timber out for bid.

Mr. Rob Warner, 712 Highland Ave., encouraged Council to approve the plan. The plan has been examined enough to go forward.

Mr. David Repass, 227 E. Jefferson St., asked Council to uphold the spirit and intent of the City charter, which states that the rights of the City shall not be sold until approved by a majority of votes. The referendum should be held whether it is legally required or not because a lease for 40 years is just as good as a sale.

Mr. David Phemister, 716 Monticello Ave., with the Nature Conservancy, supports the resolutions. This water supply plan is the only plan that meets our water needs while also conserving our environment. We do not need a referendum. Do not spend any more money on alternatives that are not viable.

Ms. Sally Thomas, 889 Leigh Way, said each step of the water plan discussion has been met with doubt and controversy since the 19th century. We will finally have an agreement that will make us good stewards of our streams and rivers. Please adopt tonight's resolutions.

Mr. Matthew Rohdie, 1014 Locust Ln., owner of Carpe Donut, said it is important to know what the costs are of the new dam before voting on it.

Ms. Joanna Salidis, 129 Goodman St., asked opponents of the water plan to stand. She said the costs of hauling timber are not outlined in the agreement. She said developers have pushed this plan from the beginning.

Ms. Jennifer Downey, 1014 Locust Ln., said moving on at all costs is not the right thing to do. Please put off a vote until you have the answers to important questions.

Mr. Galen Staengl, 129 Goodman St., said the 2006 water supply agreement looked a lot more like the Norris plan than the current agreement, which does not reflect the original intent or the most current information. Create a plan that promotes walkable and bikeable areas.

Mr. Rick Seaman, 2010 Greenbrier Dr., agreed that we need more information and should be thoroughly educated on this issue. He supports the water supply plan and thanked Council for their efforts to protect our water supply.

Mr. Kelton Flenin, 101 Robertson Ln., said he is concerned that citizens are getting a raw deal with the cost share agreement. He asked if the University has bought into the projected water use by AECOM.

Ms. Colette Hall 101 Robertson Ln., said three Councilors are playing party politics.

Ms. Phyllis Catshears, business owner in the City, said we must be able to answer the questions about cost before going forward with a vote. She asked Councilor Galvin to reconsider and take more time to examine the information.

Ms. Baily Elizabeth, 505 Elliot Ave., said constant growth is not always best.

Mr. Stanton Braverman, 226 Douglas Ave., is against building the dam.

Mr. Jeff Warner, 212 Wine St., said he has fought since 2005 to keep our water supply plan local. This was a plan developed with a lot of analysis. He asked Council to move forward with a vote to support the plan.

Mr. Brevy Cannon, 710 Ridge St., said we need an answer for exactly what the plan will cost for 50 years. He questioned how the cost sharing agreement was devised.

Mr. Blake Caravati, 1108 Little High St., said he has been involved with the water plan since 2000. He asked Council to pass this plan.

Mr. Clark Grambia, Fry Springs neighborhood, said he is opposed to the plan. This is not a lease; it is a sale, unless the property reverts to the City at the end of forty years.

Ms. Jen Lucas, 1126 E. Jefferson St., said we need more information before making this decision. We can all agree that we need more than dredging.

Mr. Euriah J. Fields, 829 Mallside Ct., said all important decisions must be made with insufficient data. If we wait until we have all the data, we will never make a decision. Please vote for this plan tonight.

Dr. David Brown, 1534 Rugby Ave., said this plan ensures that growth pays for itself. We only have to pay more if we use more water, and that is fair. This plan pushes us to conserve. Please support the plan.

Ms. Colette Blount, 1523 Amherst St., asked where the details of the proposed lease are written out for the public to review. The public should be permitted to read this document before a vote.

Ms. Liz Palmer, ACSA Board member, thanked Councilors for their efforts on this plan, regardless of their position. Growth pays for growth with respect to water.

The public hearing was closed.

Mr. Norris said he understands that some people want to move on from the water supply plan. There is a plan that is more economically, environmentally responsible and would provide enough water for the future. There is enough water now to meet the City's needs for the next 50 years. He said a baseline cost for simply ensuring our needs are met for the next 50 years should be established, and anything above a few million dollars is a subsidy of county growth by city ratepayers. Water levels will not be enhanced in the Moormans River for another 25 years under the current plan.

Ms. Smith said she is here to defend the City's interest in the plan, even though she still opposes it. The cost share agreement is not fair to the City. She asked for more information on the City's future allocation rights. The City should get allocation proportional to the capital investment in the existing water. The county should have to true up for the existing infrastructure, which the City has paid for entirely. She asked if the City is giving up 80% of their allocation to water in the South Fork Rivanna Reservoir.

Ms. Szakos said some who oppose the plan view Albemarle County as the enemy, but we are one community, and we should be able to find common ground on this issue.

Others worry about growth, nature, and a belief that spending money is foolish because conservation will decrease our need. This is about the cost share agreement. The City and County have different needs from the agreement, and we can both get what we need without detracting from the other. This plan ensures adequate water and protects our investment.

Ms. Galvin said she respects Ms. Smith's devotion and intelligence. The point of the cost allocation plan is to allocate the cost of the infrastructure for future use. We are paying for double the water storage capacity than what the dredge only plan would give us. The plan also incentivizes conservation, and we do not pay anything more if we are successful in conserving.

Ms. Smith asked what the term limit was for this agreement. Mr. Brown said it stops at $72 million for the City. Ms. Smith said the loss of South Fork Rivanna Reservoir is a problem. We cannot use the water in our reservoir toward our own allocation, and that leaves us with no financial benefit to restoring or preserving this area. We should require Rivanna to restrict its clear-cutting to avoid essential breeding season. She asked for information on metering. Mr. Frederick said we will not know the cost until we develop a metering plan, which will take a detailed study of the system. Ms. Smith said we do not know how we will pay for it.

Ms. Galvin said there was a stewardship fund idea, which is something we could use to manage the area around our facilities. Ms. Szakos said she agreed.

Mr. Norris asked why no provision was put in for the county to conserve water, allowing it 130% of the water they need while giving the City less water than the projections say we will need.

Mr. Huja called for a vote on the resolutions.

On motion by Ms. Szakos, seconded by Ms. Galvin, the resolution to Amend the Resolution on Approved Height of Ragged Mountain Dam passed. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Huja; Noes: Ms. Smith, Mr. Norris.)

Ms. Smith proposed an amendment that the City be given allocation rights to the existing water proportionate to the city’s capital investment in the existing infrastructure, by the same formula as the county is given allocation rights to the new water proportionate to their capital investment in the new infrastructure. Mr. Norris seconded. The motion failed. (Ayes: Ms. Smith, Mr. Norris; Noes: Ms. Szakos, Ms. Galvin, Mr. Huja.)

Ms. Smith moved that we recalculate the baseline safe yield and more importantly the projected safe yield for 2055 based on the more recent HDR bathymetric data. Mr. Norris seconded. The motion failed. (Ayes: Ms. Smith, Mr. Norris; Noes: Ms. Szakos, Ms. Galvin, Mr. Huja.)

Ms. Smith moved that the City retain allocation rights to the SFRR over and above the agreed to split with ACSA for as long as this agreement is in place. The City’s allocation worth at least $80 million dollars today will be based on the most recent bathymetric information and revised only after a new bathymetric study of the SFRR is conducted. Mr. Norris seconded. The motion failed. (Ayes: Ms. Smith, Mr. Norris; Noes: Ms. Szakos, Ms. Galvin, Mr. Huja.)

Ms. Smith moved that the ACSA be required to “true-up” to the City for the capital investment in existing infrastructure under the same formula as the city is required to “true-up” to ACSA for new infrastructure, proportionate to their present and future use. Mr. Norris seconded. The motion failed. (Ayes: Ms. Smith, Mr. Norris; Noes: Ms. Szakos, Ms. Galvin, Mr. Huja.)

Ms. Smith moved that to be consistent with our requirement to install meters in order to accurately measure the distribution of treated water, we require RWSA to install flow gauges on the North and South Forks of the Moormans River above the dam to accurately measure streamflow, to be installed before streamflow release requirements take effect per the state and federal permits. Mr. Norris seconded. The motion failed. (Ayes: Ms. Smith, Mr. Norris; Noes: Ms. Szakos, Ms. Galvin, Mr. Huja.)

Ms. Smith moved that we set a term limit of 2040 or when the safe yield reaches the AECOM projection for 2055, whichever comes first. Mr. Norris seconded. The motion failed. (Ayes: Ms. Smith, Mr. Norris; Noes: Ms. Szakos, Ms. Galvin, Mr. Huja.)

Ms. Smith moved that we do not sign this agreement until ACSA agrees to pay the cost of the new pump station proportional to their use. Mr. Norris seconded. Ms. Galvin said she views these as very different items and does not want to couple them together. Mr. Norris said we should use what little leverage we have. The motion failed. (Ayes: Ms. Smith, Mr. Norris; Noes: Ms. Szakos, Ms. Galvin, Mr. Huja.)

Mr. Norris moved that this agreement only stay in effect as long as City rates do no increase as a result of the agreement. Ms. Smith seconded. The motion failed. (Ayes: Ms. Smith, Mr. Norris; Noes: Ms. Szakos, Ms. Galvin, Mr. Huja.)

Mr. Norris moved that we adjust the cap in the agreement, which is currently at 6/71 mgd, to 8.32 mgd, so that the City is not losing water as a result of this agreement. Ms. Smith seconded. The motion failed. (Ayes: Ms. Smith, Mr. Norris; Noes: Ms. Szakos, Ms. Galvin, Mr. Huja.)

Mr. Norris moved that we apply the same formula for costs going forward on the dam and pipeline as costs already incurred, reflecting a 15/20 split. Ms. Smith seconded. The motion failed. (Ayes: Ms. Smith, Mr. Norris; Noes: Ms. Szakos, Ms. Galvin, Mr. Huja.)

Mr. Norris moved that the City seek compensation for timber at the Ragged Mountain Natural Area and put it out for bid with the assistance of a qualified forester. Ms. Smith seconded. Ms. Galvin said she does not see why this has to be part of the agreement. Mr. Brown said we have retained a professional appraiser. Mr. Huja was interested in having trees replaced and being reimbursed for it. Ms. Szakos said we could talk about it at the next meeting. The motion failed. (Ayes: Ms. Smith, Mr. Norris; Noes: Ms. Szakos, Ms. Galvin, Mr. Huja.)

Ms. Smith moved that we remove the metering requirement from the agreement, because we do not know if it is even possible or what it costs. Mr. Norris seconded. The motion failed. (Ayes: Ms. Smith, Mr. Norris; Noes: Ms. Szakos, Ms. Galvin, Mr. Huja.)

Mr. Huja said this is a good plan that secures the long term needs of the City's future. It is good for lowering rates, good for streams, and good for nature. He plans on supporting it.

Mr. Norris said the City is not paying 15% for the cost of the dam; it will be paying more.

Ms. Smith said we have a fiduciary responsibility to the citizens to spend their money responsibility, especially in light of a potential budget shortfall.

On motion by Ms. Szakos, seconded by Ms. Galvin, the resolution to Approve the Water Cost Allocation Agreement passed. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Huja; Noes: Ms. Smith, Mr. Norris.)

Mr. Norris moved that tree clearing be suspended until after nesting season has been completed. Ms. Smith seconded. The motion failed. (Ayes: Ms. Smith, Mr. Norris; Noes: Ms. Szakos, Ms. Galvin, Mr. Huja.) Mr. Frederick said local and state environmental requirements were considered as part of the contract. We have not gone beyond regulations to add additional requirements to impose additional restrictions. Contractors indicated that there would be a claim for adding that provision to the contract. Ms. Szakos asked Mr. Frederick to make that inquiry for mid-February through mid-July to preserve the birds breeding season.

Mr. Norris moved that the property revert to City ownership after 40 years, and include that in the agreement. Ms. Smith seconded. The motion failed. (Ayes: Ms. Smith, Mr. Norris; Noes: Ms. Szakos, Ms. Galvin, Mr. Huja.)

Mr. Norris moved that once the Sugar Hollow pipeline is taken out of service, we remove the Sugar Hollow dam to restore natural streamflow to the Moormans River. Ms. Smith seconded. The motion failed. (Ayes: Ms. Smith, Mr. Norris; Noes: Ms. Szakos, Ms. Galvin, Mr. Huja.)

On motion by Ms. Szakos, seconded by Ms. Galvin, the Resolution to Approve Ragged Mountain Dam Project Agreement passed. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Huja; Noes: Ms. Smith, Mr. Norris.)

OTHER BUSINESS

Mr. Norris moved that we put the agreements Council disagreed on up for a public referendum. Ms. Smith seconded. The motion failed. (Ayes: Ms. Smith, Mr. Norris; Noes: Ms. Szakos, Ms. Galvin, Mr. Huja.)

MATTERS BY THE PUBLIC

Mr. Scott Bandy, City of Charlottesville, said ratepayers are about to see rates go up because of the RWSA. There should have been a referendum. He requested elected officials call for a vote to dissolve the RWSA.

Mr. Walt Heineke, 1521 Amherst St., encouraged Council to facilitate forming the Human Rights Commission.

Ms. Rebecca Quinn, 104 4th St., said she was stunned by the number of questions asked by Councilors and the public that were ignored.

Mr. Brandon Collins, 536 Meade Ave., said the Planning Commission wants to form a strategic housing fund, coupled with an increase in the housing fund. He asked to use $1 million from the economic downturn fund. He requested a status update on the redevelopment and housing work session.

COUNCIL RESPONSE

Ms. Szakos said she encouraged Mr. Collins to attend the budget sessions, where his questions will come up and can be addressed. Mr. Norris said once a new Executive Director is in place at the Housing Authority, we can meet with the residents and talk about next steps.

The meeting was adjourned.

President

Clerk