NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, July 2, 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 – July 2, 2012

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

On motion by Ms. Smith, seconded by Ms. Szakos, Council voted, (Ayes: Mr. Huja, Ms. Szakos, Ms. Galvin, Ms. Smith; Noes: None; Absent: Mr. Norris), to meet in closed session for consultation with legal counsel regarding the negotiation of the terms and conditions of a cost sharing agreement with the Albemarle County Service Authority for the costs of a new Rivanna Water and Sewer Authority Sanitary Sewer Pump Station, as authorized by Virginia Code sec. 2.2-3711 (A) (7.

On motion by Ms. Smith, seconded by Ms. Galvin, Council certified by the following vote (Ayes: Mr. Huja, Ms. Szakos, Ms. Galvin, Ms. Smith; Noes: None; Absent: Mr. Norris), 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 – July 2, 2012

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

ANNOUNCEMENTS

Ms. Smith read a proclamation in recognition of Parks & Recreation month. Mr. Daly was present to accept.

Ms. Smith announced the 4th of July Fireworks at McIntire Park. She also announced a blood drive on Monday, July 9 at the Doubletree Hotel. On Friday, July 13

from 5-8:00 p.m. at CitySpace, there will be a special exhibit featuring Ed Roseberry's photography.

Ms. Szakos announced Virginia Supportive Housing, who operates The Crossings, was recognized by the Virginia Sustainable Network with the 2012 Innovation Award. Also, City Hall and the Annex will be closed on July 4. CAT Route 7 and the free trolley will offer the Sunday service schedule.

Ms. Galvin announced the free storm debris collection, starting Monday, July 9, for tree debris from the June 29 storm only. Contact 970-3895 for more information and to schedule an evaluation. Also, the Chloramines Four Boards meeting will be held July 25 at 7:00 p.m., in Lane Auditorium. There will be a Council Worksession Thursday at 5:00 p.m. in City Space regarding Economic Development and Workforce Readiness.

Mr. Huja announced the recruitment of election officers Monday, July 9 from 5:00 – 7:00 p.m. in CitySpace. He encouraged citizens to take part in the 4th of July ceremony at Monticello.

MATTERS BY THE PUBLIC

Mr. Paul Long, 1410 Grady Ave., said very little of the VDOT funding will go to public transportation. He is disappointed that CAT is not offering full service on July 4. He suggested a resolution in support of a $5 million grant for expansion of CAT.

Ms. Carol Saliba, 802 Cynthianna Ave., said she is opposed to rezoning of the lots at Rose Hill and Cynthianna Ave. because it will increase the amount of traffic and noise, and she opposes the style of the apartment building.

Ms. Michelle Ba'th Bates, with The FeMale Perspective, announced an awareness campaign called "Breaking the Chains of Silence: Racism / Internalized Racism".

Ms. Lorrie Delehanty, 645 Evergreen Ave., said she attended the June 21 panel on chloramines, and there were several broad areas of agreement on both sides. Carbon filtration is preferable. She asked Council if there is any segment of the local government willing to take on the legal responsibility of claims of damage of personal property and health due to the addition of chloramines to the water supply.

Mr. Fabian Kuttner, PO Box 359, said Council must act now to rebalance the needs of the downtown mall. The mall needs to be cleaned more often. Peaceful stewards of cleanliness are needed to deter littering and to sweep. More walking patrols are needed.

Mr. George Benford, 608 Rainier Rd., said he is concerned about the direction of the downtown mall. At certain times of the day, there are more beggars and loiterers than paying visitors.

Mr. Andrew Silver, 108 Harris Rd., expressed his gratitude to the City for taking the first steps at fixing the problem of vagrancy on the downtown mall. He said the solution is only a bandaid, and more permanent and effective solutions need to be implemented. The issue is not homelessness, but lawlessness.

Ms. Mary Rekosh, 3347 Woodcreek Dr., said the climate has deteriorated on the downtown mall in the last few years. As an employee at a kid-friendly business on the downtown mall, she has witnessed many incidents that pose safety issues. Please work diligently to manage this problem.

Ms. Alissa Reeves, 413-B Moseley Dr., thanked Council for removing benches and installing a police officer in front of the Paramount. She said this is not a permanent solution. People have stopped dining on the downtown mall because they fear for their safety. She said numbers on the Charlottesville Police Department's website show an increase in crime over the last year.

Mr. Brandon Collins, 536 Meade Ave., said the Transit Association Riders of Charlottesville is a recent group formed to advocate for a better transit solution. He said making a societal change to address the downtown mall situation is more important than removing benches. He asked a representative to speak on behalf of the homeless on the downtown mall. The first speaker said it is not just homeless that sit on the benches. Mr. Andrew Ellis said he is also downtown, and said he understands the need to work against profanity. He suggested coming together with Council and community leaders to come to an agreement about behavior on the downtown mall.

Mr. Bob Stroh, 1412 Kenwood Ln., said the welcoming, family-friendly atmosphere that used to characterize the downtown mall has deteriorated. He asked for criminal activity to be addressed with immediate and firm response. All patrons and visitors should be treated with respect and compassion and be allowed to conduct business in a clean and safe environment.

Ms. Joan Fenton, 3705 Country Ln., said the business community has a great concern, and they also support the right of people to be out on the mall and have a place to sit. However, daily, there is criminal activity in front of her store. Business owners have asked for increased police surveillance and cameras. We are at a tipping point; something must be done before people start getting hurt. Immediate action is required.

COUNCIL RESPONSES TO MATTERS BY THE PUBLIC

Mr. Huja said the issues on the downtown mall need to be addressed, but it is not so simple as to be able to address them overnight.

Ms. Smith said tonight's discussion showed great evolution. She supported the idea of people from all groups coming together to form a plan. We cannot tolerate illegal

activity, but we also do not want to become a police state. We need to find the right balance, and this is an important issue to the City.

Ms. Szakos said we should add increased transit to our legislative agenda. We need to figure out how to change formulas at the state level to incentivize localities to increase spending on transit. She encouraged the City to discuss Rose Hill/Cynthianna between now and the second reading. She said she wants more benches on the downtown mall, and when we have too few, they do get monopolized by particular groups. She supported removing them temporarily from the fountain because of the activity that was concentrated in that area. She said police training and education may be in order if it is true that officers feel they cannot enforce the rules of the City. She suggested a civilian volunteer corps.

Ms. Galvin said she is glad a meeting will take place between the neighborhood and the developer regarding the Rose Hill/Cynthianna rezoning. She also asked for a schedule of events for Ms. Bates' initiative. Ms. Galvin said there have been meetings about how to solve the downtown mall issues, and many ideas have been brought forward. Mr. Jones detailed actions that have been taken over the past few years to address safety issues. The problems on the downtown mall originate with a small handful of people. We are taking steps to encourage good behavior.

CONSENT AGENDA

Ms. Smith asked why we would not pull the Rose Hill / Cynthianna item due to concern. Councilors responded that there would be ample opportunity for input between now and the second reading. She asked for more information about environmental concerns. Ms. Galvin said it is important that staff explain the rental structure of the proposed building to the public. Mr. Jones said we can put this on the regular agenda for the second reading. Ms. Szakos encouraged neighbors to come to the next meeting if they are concerned about this.

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

a. Minutes for June 18
b. APPROPRIATION: Amendments to FY 2013 Adopted City Schools General Fund & Other Governmental Funds Budget - $615,174 (2nd reading)
c. APPROPRIATION: Housing Rehabilitation Loan Repayment - $18,884.36 (2nd reading)
d. APPROPRIATION: 2012 Charlottesville Police Department Foundation Donation - $500
e. APPROPRIATION: Appropriation of Jordan Park Playground Equipment Insurance Recovery Funds - $43,828 (carried)

f.	APPROPRIATION:	The Pavilion at North Grounds Affordable Housing Contribution - $278,095 (carried)
g.	APPROPRIATION:	Historic Facade Settlement - $16,000 (carried)
h.	RESOLUTION:	Addition of MACAA to Housing Advisory Committee
i.	ORDINANCE:	Rose Hill/Cynthianna Rezoning (carried)
j.	ORDINANCE:	Zoning Waiver Provisions (carried)

REPORT: TRANSIT STUDY

Ms. Mueller presented to Council. Project Manager Geoff Slater of Nelson Nygaard reviewed system assets and challenges, study goals and study focus. He reviewed study steps and the plan for public outreach.

Ms. Szakos asked if there is a way to ask questions before the first public outreach. Mr. Stewart said email him directly at stewartl@charlottesville.org. Mr. Slater said there will also be a page on the City website allowing the public to give input. Ms. Smith also asked about the structure of public input and was concerned the timeline would not permit enough public input ahead of developing the plan. Mr. Slater said they have structured it in a way that will best serve the process. Ms. Smith suggested meeting with a focus group of folks who have given us a lot of input in the past.

Ms. Galvin said she thinks a good breadth of knowledge exists on the project team, and some scenarios reflect different placements because of land use patterns. Ms. Szakos said she is encouraged that this is a process that allows for dynamic change, and we are able to examine how we produce public transportation in ways that are sustainable by a public population.

Ms. Smith asked how much they will take into account areas where the University Transit Service already serves. Mr. Slater said the City and the University has a great existing relationship, and we may be able to reduce overlap where it does exist.

Mr. Huja thanked the consultants for a good meeting. Radical change is needed. Public transportation should be like a public utility, accessible to all residents in the City.

REPORT: STORMWATER UTILITY

Mr. Tolbert and Ms. Mueller presented to Council. Mr. Tolbert gave a history of the City's evaluation of strategies to meet a range of water resource goals and challenges. The stormwater utility fee should now be revisited due to limited funding available to maintain the aging stormwater infrastructure, increasing environmental requirements, the need for an updated master plan, and the need for additional staff to keep up with increased maintenance and inspection requirements. Alternatives include maintaining the current level of services and funding, establish a more comprehensive program to address increasing needs, and funding additional activities through a reliable, dedicated, equitable

fee that directly relates demand for services to fees paid, or increasing taxes to raise the revenue needed to address increasing stormwater needs.

Ms. Mueller reviewed a proposed water resources protection program timeline for an FY2014 adoption. She introduced Ms. Jean Haggerty from AMEC, an engineering consulting firm. Ms. Haggerty discussed public outreach. She said there is a $500 million asset with existing stormwater infrastructure. A detailed conditions assessment is needed. Being proactive instead of reactive is important when considering capital projects.

Ms. Smith asked if we know where our pipes are. Ms. Haggerty said we do. Ms. Smith confirmed that if we were to install a new system, we would not put in the same thing we currently have. She asked if we should be retrofitting our system because of how strenuous our current system is on our streams. Ms. Haggerty said there has been a paradigm shift, and people have to be incentivized to use water in a smarter way. We do not have the assessment right now on the condition of our entire system. Ms. Smith asked if there are things that could be done at the exact point of problems. Ms. Haggerty said there are not, but there are some creative engineering firms that can help solve those problems. We can manage some problems by addressing them upstream. Ms. Smith asked how the quality of water we are putting into streams is monitored. Ms. Haggerty said we use the Chesapeake model, which establishes targets for releasing water into streams. This monitoring piece will be a big part of a new set of regulations coming soon. Ms. Smith asked if we can charge user fees to properties that are nontaxable according to the Code of Virginia. Ms. Haggerty said we can. Mr. Brown said state legislation outlines the type of users that are eligible for full or partial waivers for certain fees. Ms. Smith asked how our proposed fees compare to other areas. Charlottesville is in the mid-to-low range.

Ms. Szakos asked why the current CIP projects a reduction. Ms. Mueller said that was when we thought this option could come in. Ms. Szakos confirmed that this is not a crisis, just planning. Ms. Szakos said all other utility authorities we have are with other localities. She asked if a collaborative effort had been considered. Ms. Haggerty said it is a good idea to examine this regionally, and it would be a great long-term plan, but jurisdictionally, it is very difficult to do. You could share certain resources.

Ms. Galvin asked Ms. Haggerty if they could work with us on not just simply rehabbing our system but thinking about this in a different way, such as creating green spaces out of stormwater facilities. Ms. Haggerty said you can work with redevelopment areas to do this, although being built out presents certain challenges.

Ms. Smith said we have several pieces of property where the system surrounding them could be retrofitted to use natural features and become amenities. Ms. Galvin said we need to know where our density could go, and that information is what our TMDL plan is missing. Ms. Haggerty said we have a good start on good information and just need to push a little further.

Ms. Smith said currently we spend $900,000, and funding is coming from the general fund. Ms. Riddervold said some environmental programs are funded outside of this. Ms. Smith asked if the $265,000 from the gas fund is part of the $900,000. Ms. Riddervold said it is. This could supplement general funds, but then the stormwater dollar amount would no longer be in the CIP budget, which is what is currently projected to be eliminated from FY14 if this process were implemented. Ms. Smith said she appreciates that this program sounds to be very equitable.

Mr. Huja said he is concerned with people who are lower on the scale and cannot afford the fees. Staff is examining hardship programs, and typically a fund is set aside for people who are not able to pay.

Ms. Szakos said we have to find a balance. If we do want density, we do not want to disincentive that, so we need to keep a balance to provide for developments. However many of them will have to do this to comply with federal regulations either way.

Mr. Tolbert said staff is seeking a consensus to move forward, and then we will come back with the schedule Ms. Mueller suggested. Council said they are satisfied with the plan. Ms. Smith said she wants to explore this coupled with other fees and charges we are putting on our residents.

REPORT / RESOLUTION: DEVELOPMENT OF 204 8TH STREET, N.W. AND ALLOCATION OF $20,000 FOR PROMISE GRANT OFFICE CONSTRUCTION

Mr. Tolbert presented to Council. The Promise Grant program needs a place in the community to meet for community gatherings and other events. The $20,000 is for architectural services, which the City would have allocated from the Charlottesville Housing Fund for the purpose of engaging the services of an architect to design a house at 204 8th Street, N.W. suitable for use as office space, but which ultimately will be converted to a single family home and sold as affordable housing, Staff also requested that Council support using funds from the Economic Development Strategic Investment Fund for construction of the house at 204 8th Street, N.W.

Ms. Smith asked how long the grant is. Ms. Szakos said four years. She asked how long it will take for this building to be constructed. Mr. Tolbert said about a year. Ms. Smith said she does not see how having events is part of the City of Promise program. Ms. Szakos said one of the key ongoing components of the program is community engagement. This could serve as an extension of sorts for the Westhaven Community Center. Mr. Huja said we did something similar for the LEAP program a few years ago. Ms. Smith said she objected that this is being built for Westhaven, which is being redeveloped, and that this is not part of a bigger comprehensive plan. Ms. Galvin said a rebuilding project on this block is in keeping with the scale of the neighborhood and seems like a good use of housing funds.

Mr. Huja said he would support the resolution if there is a time limit on the lease. Ms. Galvin said this would be more appropriate for the resolution pertaining to construction. Mr. Brown suggested adding language saying "for a four year period, renewable at the discretion of City Council". Mr. Huja agreed. Ms. Smith asked where the money to build the house would come from. Mr. Tolbert said it would come from the Strategic Investment Fund, which is where the money would return once the house is sold. On motion by Ms. Galvin, seconded by Ms. Szakos, the resolution passed as modified. (Ayes: Ms. Galvin, Ms. Szakos, Mr. Huja; Noes: Ms. Smith; Absent: Mr. Norris.)

REPORT: CHARLOTTESVILLE ALBEMARLE CONVENTION & VISITORS BUREAU (CACVB) UPDATE

Mr. Burkhart presented to Council. He outlined the benefits of tourism and explained the CACVB organization. He described accomplishments from the past year. The primary goal is to extend visitors' stay by one more day. Their website, www.visitcharlottesville.org, has been a key component to improved marketing, engaging potential visitors and program development. He shared photos from the community photo contest.

Ms. Smith asked if they have other partnerships. Mr. Burkhart said they have reached out to specific groups and identified key activities in their twelve month plan.

Ms. Szakos asked how much is in the surplus. Mr. Burkhart said there is $500,000 in FY11 already earmarked for spending, including some exciting initiatives for our area. Ms. Szakos said there has been talk about spending some of this money on initiatives such as helping with the downtown mall safety situation. She said she is taken aback that the whole amount is being spent for marketing. She suggested funds be used to nurturing visitors while they are here. Mr. Burkhart said we can collaborate as a partner, and there are excellent opportunities for public/private partnerships. He has had experience with visitor assist programs, which can be very effective with proper management, oversight and training.

Ms. Galvin asked if the CACVB has been in communication with the Piedmont Council of the Arts and their cultural planning process. Mr. Burkhart said the CACVB participated in the announcement panel, which was well-attended. Ms. Galvin said programming open public space on the mall can contribute to the vibrancy and counteract the feeling that the center has become an abandoned space.

OTHER BUSINESS

Mr. Jones updated Council on the aftermath of the June 29 storm, including services that were offered after the storm, shelter openings, cooling centers, and collaboration with the county.

Mr. Huja commended staff for being quick and responsive to the needs of citizens, especially with the shelters and cooling centers. Ms. Galvin seconded his thanks. Ms. Smith asked how we might envision a future with underground utilities. Ms. Szakos said she has been asking those questions for a long time, and we should keep trying to figure out how to do it. She said she has appreciated the upgrades to existing infrastructure.

MATTERS BY THE PUBLIC

Mr. Anthony Ward said trees should be nowhere near power lines. He said panhandling is not a crime, but the aggressive behavior is. Some localities use local ordinances to violate constitutional rights.

Ms. Nancy Carpenter, 727 Denali Way, said she is very interested in the transit study. One big transit issue is getting from U-Hall / JPJ to the Medical Center. Bringing everyone to the table about the downtown mall issue is a good idea.

Mr. Scott Bandy cited a recent Cville Tomorrow article about the Rivanna pump station and said he was disappointed that compromise could not be reached on this matter.

COUNCIL RESPONSE

Mr. Jones wanted to correct an earlier claim made by a speaker and said that under no circumstance has the City Attorney's office directed the City Police Department to be soft on crime on the downtown mall.

The meeting was adjourned.

Paige Rayfield

Clerk of Council