

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, October 15, 2012, AT 6:30 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 – October 15, 2012

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

On motion by Ms. Smith, seconded by Ms. Szakos, Council voted, (Ayes: Mr. Huja, Ms. Szakos, Ms. Smith, Ms. Galvin; Noes: None; Absent: Mr. Norris), to meet in closed session consultation with legal counsel for consultation with legal counsel for legal advice regarding the negotiation of the terms and conditions of a cost sharing agreement with the Albemarle County Service Authority for a new sanitary sewer interceptor and pump station at the wastewater treatment plant site, as authorized by Virginia Code sec. 2.2-3711 (A) (7).

On motion by Ms. Smith, seconded by Mr. Norris, Council certified by the following vote (Ayes: Mr. Huja, Ms. Szakos, Ms. Smith, Ms. Galvin; 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 – October 15, 2012

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

ANNOUNCEMENTS

Mr. Huja read a proclamation recognizing the Kiwanis Club of Charlottesville for their 90th anniversary. Mr. Jim Hart was present to accept the proclamation.

Mr. Huja announced the 250th Anniversary Gala, featuring Kool and the Gang, on November 11 at the John Paul Jones Arena.

Ms. Galvin read a proclamation in honor of Community Planning Month. Mr. Tolbert was present to accept the proclamation.

Ms. Galvin announced the Comprehensive Plan Update public meeting series, which will occur on Wednesday, October 17 at Buford Middle School Cafeteria 6-8pm, Thursday, October 25 at Venable Elementary Auditorium 6-8pm, and Thursday, November 1 at Clark Elementary School Gymnasium, 7-9pm.

Mr. Norris announced that we are soliciting applicants for Boards and Commissions. The deadline to apply is November 1. He also announced the National Citizen Survey and encouraged citizens to complete and return the survey if they receive one in the mail. He announced a Transit Study Open House tomorrow evening at the Downtown Transit Center.

Ms. Smith announced that the City has received platinum certification through the Virginia Municipal League 2012 Go Green Challenge. Ms. Riddervold was present to accept the award on behalf of the City. Also on Tuesday, October 30, Ms. Smith announced the Doggie Halloween contest, for which she will serve as a judge.

Ms. Szakos read the text of the Equal Rights Amendment resolution, which Council will vote on as part of the consent agenda. She also announced deadlines for absentee voting. Election Day is November 6.

MATTERS BY THE PUBLIC

Ms. Robbi Morrisson said she is here to recognize National 4-H Week. This program has a wonderful impact on youth. For more information on the 4-H program, please call 872-4580.

CONSENT AGENDA

Mr. Huja said regarding item j, he is concerned because he is not sure what the “other criteria” are. However, he is willing to proceed.

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

- a. Minutes for October 1
- b. APPROPRIATION: FY2013 Blue Ridge Commons Corporation Sponsorship Agreement with Charlottesville Police Department -

- \$86,000 (2nd reading)
- c. APPROPRIATION: Crisis Intervention Team Coordinator – Appropriation of Grant and Other Funds (\$161,195) (2nd reading)
 - d. APPROPRIATION: Victim Witness Assistance Program Grant--\$157,143 (2nd reading)
 - e. APPROPRIATION: Moore’s Creek Trail Proffer - \$20,000 (2nd reading)
 - f. APPROPRIATION: Personal Emergency Response System (PERS) for Public Housing Residents - \$3,120 (2nd reading)
 - g. APPROPRIATION: 2013 Child Care Quality Initiative Grant - \$25,127 (\$21,232 state funds and required local match of \$3,895) (2nd reading)
 - h. RESOLUTION: Approval of Regional Library Agreement
 - i. RESOLUTION: Equal Rights Amendment
 - j. RESOLUTION: City Council Policy- Nonprofit and Outside Agency Funding Requests that Occur Separate from the Budget Process

PUBLIC HEARING/ORDINANCE: CONVEYANCE OF A PORTION OF FORMER PRESTON AVENUE RIGHT-OF-WAY TO REGION TEN (carried)

Mr. Brown presented to Council. Region Ten Community Services Board recently discovered that a narrow triangular-shaped strip of land that appears to be a part of their property at 800 Preston Avenue is actually owned by the City. This property, which covers a 2,760 square feet area, was probably at one time a part of the Preston Avenue right-of-way but was left over as a remnant when the road was widened and realigned. Region Ten recently discovered that this is not part of their property and requested the City convey it to them without compensation. There is no staff concern regarding this matter.

Ms. Szakos asked if this was land we could have sold separately. Mr. Brown said it is not of sufficient size to be a stand-alone parcel that could be conveyed to anyone else.

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

Mr. Robert Johnson, Executive Director of Region Ten, said they have maintained this piece of property. Also, this particular area is critical to potential future growth. He requested that the City donate this to Region Ten.

Having no further speakers, the public hearing was closed.

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

Ms. Szakos thanked Region Ten for maintaining this piece of land thus far.

PUBLIC HEARING/RESOLUTION: COURT PETITION IN RESPONSE TO CITY TREASURER VACANCY

Mr. Huja recognized Ms. Jennifer Brown, who has long served as City Treasurer, and thanked her for her service.

Mr. Brown presented to Council. Ms. Jennifer Brown announced her retirement as City Treasurer, effective October 1, 2012. Her term of Office was scheduled to expire December 31, 2013. This position will still be on the ballot on that date. However, when a vacancy occurs in a constitutional office, Virginia Code provides that the “highest ranking deputy officer . . . shall be vested with the powers and shall perform all of the duties of the office”, until the vacancy is filled by election. In this case Chief Deputy Treasurer Jason A. Vandever assumed the duties of the City Treasurer, effective October 1.

Council should decide this evening if they wish to have a special election to fill the vacancy for calendar year 2013 or ask the courts to allow Mr. Vandever to fill this position until December 31, 2013. While ultimately the decision lies with the Court, Mr. Brown will file a petition with the Court pursuant to Council’s wishes. Mr. Brown explained constraints regarding the timing and other administrative information regarding a special election.

Mr. Norris confirmed that a special election would mean scheduling two back-to-back elections for the same office. Mr. Brown said that would be the case.

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

Mr. John Pfaltz, 1503 Rugby Rd., said he has been trying to decry one party rule for several years. He asked for a special election in order to give all parties a fair chance at the position. He said this also looks like nepotism because of Mr. Vandever’s relationships.

Ms. Terri Perkins, 2311 Brook Rd., said she supports Mr. Vandever holding the post of City Treasurer until December 2013. Holding a special election is not cost-effective, and we will be holding an election for City Treasurer in November 2013 either way.

Ms. Carole Thorpe, 1318 Oak Tree Ln., said she is speaking on behalf of the Jefferson Area Tea Party. She thanked Council for communicating about this public hearing. She said the Tea Party is concerned about the use of tax dollars, but the City Treasurer position should be voted on by the general public.

Ms. Monica Walker, 1601 Concord Dr., said she appreciated Mr. Brown’s explanation of the possible special election dates for this position. She said she supports allowing the Deputy Treasurer to perform the duties of City Treasurer. She said a special election should not be required and is not cost-effective.

Mr. John Conover, 104 West High St., said he supports appointing the interim City Treasurer, especially because of the stress on the electoral board and the cost that a special election would incur. He also spoke in support of the City Treasurer position remaining an elected office.

Ms. Linda Seaman and Mr. Jim Nix, co-chairs of the Charlottesville Democratic Party, said the Charlottesville Democrats find that a special election to fill the City Treasurer vacancy is not required. They cited cost and the qualifications of Mr. Vandever as reasons not to hold a special election.

Ms. Jennifer Brown, 511 N. First St., thanked Councilors and citizens for their kind remarks and their support over the years. The Treasurer's office concentrates on customer service, and they have a terrific staff. Having several elections in a row will put a tremendous strain on staff and citizens. Mr. Vandever has been trained for three years and is eminently qualified.

Having no further speakers, the public hearing was closed.

Ms. Smith said she has sympathy for Mr. Pfaltz's arguments, but in this case, holding a special election would be just a show of support for those sentiments and not have a concrete effect on the results.

Ms. Szakos agreed with Ms. Smith. She said by the time a special election is held, Mr. Vandever would have been holding the position in an acting capacity anyway. The difference is not worth the cost. Charlottesville's voting record shows that the majority of citizens are Democrats by party, but they do not always agree on issues.

Ms. Galvin said there is value in loyal opposition, and competition does make people work better. However, this is not the right opportunity to prove that point, and the expense is something we cannot ignore.

Mr. Norris asked Mr. Brown for clarification on whether the Treasurer has to be an elected position. Mr. Brown said current law does not allow for this to be a non-elected position. Mr. Norris said he disagreed that this position should be elected. These positions should be based on competency, not on politics. That being said, Mr. Norris said he supported the motion stating that a special election is not required.

On motion by Mr. Norris, seconded by Ms. Galvin, BE IT RESOLVED by the Council for the City of Charlottesville, Virginia that the City Attorney is directed to file a Petition in the Charlottesville Circuit Court requesting an Order allowing the Deputy City Treasurer to perform the duties of the City Treasurer for the period beginning October 1, 2012 and ending December 31, 2013, and finding that a special election to fill the vacancy created by the retirement of the former City Treasurer is not required. (Ayes: Mr. Norris, Ms. Galvin, Ms. Szakos, Ms. Smith, Mr. Huja; Noes: None.)

REPORT: MEADOW CREEK STREAM RESTORATION PROJECT

Ms. Riddervold presented to Council. She gave a project overview, outlined project drivers and goals, reviewed design and construction, and detailed outreach to date. Updated information is available at www.charlottesville.org/meadowcreek.

Ms. Szakos asked Ms. Riddervold if there will be an opportunity in the local stage for folks to work on the project. This is a good opportunity to provide training for a growing industry. Ms. Diane Frisbee explained the project's staffing plans and said they will work on this.

In response to a question from Ms. Smith, Ms. Frisbee explained how they are coordinating planting projects with the interceptor project. Ms. Smith asked if exploring certain parts of the stream constitutes trespassing. Mr. Ehman said if you are on Rivanna easements, you are trespassing because it is private property. Not all of the sewer easement is accessible to the public. Ms. Smith asked if there will be public access points. Mr. Ehman said additional access points will be built in eventually. Ms. Smith asked if the amount of riprap will disappear, because she found it alarming. Mr. Ehman said in three years, you will not see a lot of the large boulders, but instead natural regeneration and plantings will be dominant.

Mr. Huja said he fully supports this project. He confirmed with staff that the trail will be rebuilt. Staff said they are firmly committed to a network of trails. Mr. Norris and Ms. Galvin commended staff on their excellent work on this project.

REPORT/RESOLUTION: MACAA REQUEST FOR HOPE HOUSE FAMILY CASE MANAGEMENT \$40,000 ALLOCATION FROM CHARLOTTESVILLE HOUSING FUND

Ms. McHugh presented to Council. Staff are concerned that a new housing model has shifted from homelessness housing to an emergency shelter. The length of time has been reduced from 12-18 months down to six months under the Emergency Shelter Grant. Also, family case management is now voluntary. Staff is also concerned about outcomes and sustainability. However, this is one of the only programs providing shelter for homeless families. Staff recommended awarding the \$40,000 requested as a one-time contribution.

Mr. Huja asked if there is a mortgage on the Hope House. Ms. Nancy Kidd, the new director with Hope House, and Ms. Karen Shepard with MACAA came forward to address questions. Ms. Shepard confirmed there is a mortgage on the Hope House.

Ms. Galvin asked how this program would be maintained, because \$40,000 is not enough to sustain the program. Ms. Kidd says there is a tiered approach, and some of the area churches have indicated they are interested in donating money each month. They will know within the next six months whether or not the plan will go forward. Ms.

Galvin asked if there is a permanent commitment by the churches. Ms. Kidd said they will ask for a three to five year commitment.

Mr. Huja said he wants to see definite fundraising goals and measurable steps towards the goals that can be reported to the City on a quarterly basis.

Ms. Smith asked for information on the history of the program, which Ms. Kidd provided. She also asked for their success rate and data on measurable outcomes. Ms. Kidd said she did not have the numbers, but she gave an account of two beneficiaries of the program and how it helped their family. Ms. Shepard recounted where previous Hope House residents move after leaving the home.

Mr. Huja confirmed that they will be using the \$40,000 for case management. Ms. Kidd said yes, and they will also use the money to partner with the ESG grant.

Ms. Smith asked if the case manager's sole job is to support the four families who are at Hope House. Ms. Kidd said the position will do extensive case management with the families at the Hope House, but the process starts with handling requests when they come in. The position will also work with local churches and meet with private donors to secure funding for the Hope House.

Ms. Smith asked if MACAA has approached any other counties for help with the families at Hope House. Ms. Shepard said because the house is in Charlottesville, they do not receive funding from other localities. Ms. Szakos said it would be helpful to know where applicants have come from, and the county is another logical choice when it comes to requesting funds.

Ms. Smith asked what their overall budget is. Ms. Shepard said it is \$110,000.

Mr. Norris said Hope House is addressing an important need in a competent way. However, on a per-client basis, it is an expensive program. This could be addressed by expanding the program, which has a lot of potential. He said he is concerned about the source of funds identified to fulfill this request. We keep turning to our housing fund to support initiatives like this. The housing fund was originally based on a formula designed to get us to a certain number of affordable housing units, and it is important to remain focused on the purpose of this fund. He said we also have to have some preference for City residents built in for the Hope House program. Ms. Shepard said there is a broad-based selection committee. Mr. Huja said he expects that preference would be given to City residents. Ms. Szakos said she would like to challenge our colleagues in the County and surrounding areas to contribute to this project.

Ms. Galvin said she strongly supports the case management approach. She also would like preference for City residents. She sees this as an investment in a model that we need to expand. City staff should be involved with the monitoring and planning of this money, since we contribute such a major portion of it. She views this as a pilot with a goal of moving people towards independence.

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

MATTERS BY THE PUBLIC

Ms. Joy Johnson, 802 A Hardy Dr., said she wants the City research rental units for people who are making under \$20,000 a year when contemplating the City's Comprehensive Plan. We should be pouring in more money to help MACAA, who have been advocates for the poor for years. Moving people out of poverty takes education, jobs, and opportunities.

Mr. Jim Nix, 2402 Kerry Ln., said Ms. Iachetta must be exhausted, because today was the final day of voter registration. Ms. Iachetta has worked very hard with an extremely competent, well-trained staff, and she has done an exceptional job with enormous patience.

OTHER BUSINESS

Mr. Norris asked about providing free transit service on Election Day. Mr. Jones said he will look into this.

Mr. Norris said he wants to be sure staff will follow up on the report we received from the North Downtown residents regarding the Downtown Mall. Mr. Jones said it will be on an upcoming agenda.

Ms. Galvin said we need a discussion about economic development and moving people out of poverty. We also need to be very conscious about when the City is investing in any public program.

The meeting was adjourned.