

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, November 18, 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 Rice

SECOND FLOOR CONFERENCE ROOM – November 18, 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. Smith, seconded by Ms. Galvin, Council voted, (Ayes: Mr. Huja, Ms. Galvin, Ms. Smith, Ms. Szakos; Noes: None; Absent at time of vote: Mr. Norris), to meet in closed session for discussion and consideration of prospective candidates for appointment to City boards and commissions, as authorized by Va. Code sec. 2.2-3711 (A) (1).

On motion by Ms. Smith, seconded by Ms. Szakos, 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 CHAMBERS - November 18, 2013

ROLL CALL

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

ANNOUNCEMENTS

Ms. Sarah Blech presented Ms. Rose Williams and Mr. David Smethurst to Council. They introduced their 2013 Poetry Book Project and read excerpts.

Mr. Norris announced the Holiday City Market begins Saturday, November 23 and will run through December 21, from 8:00 a.m. – 1:00 p.m. at the parking lot on the corner of Water and South Streets.

Ms. Smith announced the application period is open for the Neighborhood Leadership Institute (NLI) for the 2014 program. The deadline to apply is December 15. Go to www.charlottesville.org and click on the “I Want To →”Apply For” link for an application.

Ms. Szakos announced City Hall will be closed next Thursday and Friday for Thanksgiving. CAT will operate on a Sunday schedule Thanksgiving day. Trash and recycling will not be collected on Thursday. Thursday collection will be picked up on Friday, and Friday collection will be picked up on Saturday.

Ms. Galvin announced the Grand Illumination on Friday, November 29 beginning at 5:00 p.m. on the Downtown Mall.

Ms. Galvin recognized the recent passing of notable community members Rev. Dr. R.A. Johnson and Mr. Gabe Silverman. Mayor Huja asked for a moment of silence.

Ms. Szakos announced this Saturday at 10:00 a.m. is the annual Holiday Heritage Parade on the Downtown Mall.

Mr. Norris announced a job summit on December 10 at the Jefferson School City Center from 8:30 a.m. – 2:00 p.m. Call 970-3110 for more information.

On motion by Ms. Smith, seconded by Ms. Galvin, the following appointments were made to Boards and Commission: to the Citizen’s Advisory Panel, Nana Gharthey; to JAUNT, Ray Heron; to the JMRL Board, Carla Mullen; to MACCA, Larissa Sneathern; to PLACE, Fred Wolf; to Region 10 CSB, Missy Wernstrom; to the Youth Council, Jemma Fendley and Kibiriti Majuto; to the Piedmont Workforce Network, Christy Phillips. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Huja, Ms. Smith, Mr. Norris; Noes: None.)

MATTERS BY THE PUBLIC

Ms. Rose Williams, 305 Meade Ave., asked Council not to move the downtown farmer's market. She feels that it is safer to reach the market in its current location instead of having to navigate the crosswalk at Meade Ave. in her wheelchair.

Ms. Joann Robertson, speaking on behalf of Stand for the Silent, an anti-bullying organization in Charlottesville, said her group took a stand for Sage Smith at the Pride Festival. They raised \$100 to contribute to the investigation for Sage Smith. She asked Council to check out Cville Pride's vigil, which will be held this week. Stand for the Silent now has 102 members. They are presenting the movie *Bully* at Sojourners Church on November 30 at 5:00 p.m.

Mr. John Gooch, Exec. Dir. of the Community Energy Conservation Program at 1819 Broadway St., provides weatherization services for low income residents in Charlottesville and the surrounding areas. The service can be accessed through the Social Services Department or by calling (877) 816-0218 or 293-3777.

Ms. Brenda Castañeda, Attorney at Legal Aid Justice Center at 1000 Preston Ave., spoke about the RAD redevelopment issues. Legal Aid is concerned about providing permanent affordable housing in this community. She outlined some of their concerns over RAD funding.

Mr. John Heyden, Westwood Rd., said he has asked for suspect identification regarding violent crimes and has been ignored by staff and the media. He asked Council if they are against broadcasting suspect descriptions when a crime is committed.

Mr. Louis Schultz, 1809 E. Market St., said he believes City staff members have violated City code, and he has asked for the Mayor's support but has been denied. He said his issue is not just a matter for the courts, and Councilors do not understand his position on the matter.

Mr. Brandon Collins, 418 Fairway Ave., speaking on behalf of PHAR, spoke on RAD and the future of affordable housing in the City. RAD is on a very short timeline, and there is not enough time to make important decisions that need resident participation and input.

Mr. Joe Draego, 2703 Westmoreland Rd., said it is frustrating when citizens cannot get their questions answered by Council and the Board of Supervisors. He spoke about gun restrictions and asked where the line would be drawn on weapons bans.

Mr. Todd Niemeier, 106 Chisholm Pl., representing the Rivanna Trails Foundation, thanked Council for supporting the development of urban trails. The culverts under 250 and Hydraulic Road are not the safest and most accessible path. A raised walkway through both of those culverts would be a good solution.

Mr. Brian Wimer, 712 Graves St., thanked citizens for participating in local politics. He said nothing new will be told at the Belmont Bridge meeting. Charlottesville is divided by railroads. Belmont Bridge is an opportunity to create a gateway that will connect two halves of the city that have been separated for too long.

Mr. Joy Johnson, 802-A Hardy Dr., said multifamily homes and public housing are two different types of housing with different needs. She said RAD is a conversation that needs to happen locally, and we need to start talking about affordable rental housing stock in the City.

COUNCIL RESPONSE

Mr. Huja said Council will be considering requests for proposals on sites for the City Market in the coming months.

Ms. Szakos said she was not aware of Mr. Heyden's request to release suspect identifications and does not believe Council can address that request. She told Mr. Shultz that she was in agreement with Mr. Huja's letter and does believe the matter has been appropriately addressed. She said Council is not asking to impose gun restrictions, but instead is asking for the right to make decisions about gun restrictions locally. This may be a future conversation. She said that the concentration of largely low-income neighborhoods is not entirely a north-and-

south-of-the-tracks phenomenon (e.g., Westhaven, 10th and Page) and was even less so when the Belmont Bridge was built, before Urban Renewal in the 1960s. She said she is not ready for a decision on RAD right now.

Mr. Norris asked City staff to follow up with Ms. Williams regarding her concern about the Meade Ave. sidewalk. He is intrigued by Mr. Niemeier's request regarding the culverts, and he would like to see this considered if it is not at a huge cost. He thanked Ms. Robertson for speaking in support of DaShad Sage Smith. He agreed with Ms. Szakos on RAD, and he said he thinks it will be a detriment overall. He said Mr. Heyden has made no secret of his belief that Blacks are responsible for the majority of criminal activity in the City and the Country, which has been disproved by facts. He said the City does not have a policy of withholding identifying information on suspects, including race. Mr. Maurice Jones said the City absolutely does not have a policy prohibiting the use of descriptors. He read the most recent press release, which identified suspects by race.

Ms. Galvin echoed Councilor Norris's question of what the solution for affordable housing will be if not RAD. We have to figure out tools to provide permanent supportive housing. She said the Belmont Bridge conversation is intended to gather input.

Ms. Smith said the premise of RAD switches residents from Public Housing to Section 8 Housing, and we could lose a lot of public housing in the process. She said she believed the movie Mr. Wimer referenced would be intriguing.

CONSENT AGENDA

Ms. Smith asked for an example of when the Emergency Operations Plan would be activated. Mr. Jones said it depends on the level of damage, or it can be activated ahead of time if we anticipate a major disaster.

On motion by Ms. Szakos, seconded by Ms. Galvin, the consent agenda was approved. Mr. Norris noted for the record that he does not support item g. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Huja, Ms. Smith, Mr. Norris; Noes: None.)

a. Minutes for November 4

Minutes Nov 4

b. APPROPRIATION: Runaway Emergency Shelter Program Grant - \$198,389 (2nd reading)

Runaway Emergency Shelter Program Grant

c. APPROPRIATION: Gordon Avenue Library Masonry Project - Albemarle County Reimbursement - \$33,905.81 (2nd reading)

Gordon Avenue Library Masonry Project

d. RESOLUTION: Revised Emergency Operations Plan

Revised Emergency Operations Plan

e. RESOLUTION: Transfer of Funds from Future Workforce Development Programs to Workforce Investment Fund - \$66,572

Transfer of Funds from Future Workforce Development Programs

f. RESOLUTION: Authorization for MACAA FY13 Carryover Request - Charlottesville-Albemarle CARES - \$6,249

Authorization for MACAA FY13 Carryover Request

g. ORDINANCE: Dominion Power/Century Link easements for RWSA's Ragged Mountain Dam Project (2nd reading)

Dominion Power/Century Link easements for RWSA's Ragged Mountain Dam Project

h. ORDINANCE: Affordable Dwelling Units Ordinance Revision (2nd reading)

Affordable Dwelling Units Ordinance Revision

PUBLIC HEARING/RESOLUTION: Permit Parking: 10th & Page and Fifeville Neighborhoods

Permit Parking: 10th & Page and Fifeville Neighborhoods

Mr. Tolbert presented to Council. He gave an overview of neighborhood concerns regarding parking.

Ms. Galvin asked what provisions are being made for the contractors' parking needs. Mr. Tolbert said the Plaza is working to find remote parking in underutilized commercial spaces.

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

Ms. Brenda Castañeda, 206 9th Street NW, said she has never had trouble with parking. She believes this is an unnecessary hassle for residents, especially when they have visitors.

Ms. Madeline Boyd, Page St. between 8th and 9th streets, said the guest permits are too limited. She believes this will unintentionally disenfranchise many elderly residents on her street

because they would not be able to make the trips necessary to secure permits for their guests and caretakers.

Ms. Joy Johnson, 802-A Hardy Dr., said she has not seen many issues with parking. The residents of Westhaven were not aware of this process. She was concerned about what effect this would have on Westhaven Days and funeral events.

Having no further speakers, the public hearing was closed.

Mr. Tolbert clarified that the survey consisted of staff looking at parking places and license plates, not a survey distributed to the residents.

Ms. Galvin said it is not obvious to her that the need for permit parking is there in this neighborhood.

Mr. Huja said he does not hear support on Council for this issue right now. No vote was taken on the resolution.

PUBLIC HEARING / RESOLUTION: Safe Routes Grant Application

Safe Routes Grant Application

Ms. Poncy gave an overview to Council. A public hearing is required as part of the grant application.

Ms. Galvin asked about the curb extensions. Ms. Poncy said the Harris Road to Camelia approach does not have a curb, and this plan will create an edge. Ms. Smith said people travel too fast at the first section of Harris St. after the stop signs. She asked if any of the planned improvements will address that issue. Ms. Poncy said this is intended to provide traffic calming benefits. Ms. Galvin asked if there is any provision for street trees or on-street parking. Ms. Poncy said there is no on-street parking planned because we are space-constrained in this corridor.

On motion, the public hearing was opened.

Ms. Inessa Telefus, 217 Montevista Ave., Co-President of Jackson Via PTO, said they fully support this grant application. Many parents are walking to school at least once a week.

Having no further speakers, the hearing was closed.

Ms. Smith said Council should pursue efforts to encourage the schools to give children a choice to attend schools within a mile radius of their residence.

Ms. Galvin asked if there was coordination with stormwater management. Ms. Poncy said in this case they were not yet consulted, but it will ultimately be addressed in the design.

Mr. Huja said he supports the application.

On motion by Ms. Szakos, seconded by Ms. Galvin, the resolution passed unanimously with the understanding that stormwater will be incorporated in the future. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Huja, Ms. Smith, Mr. Norris; Noes: None.)

Ms. Smith said she is concerned about encouraging children to walk along Moore's Creek trail to get to school because of the issues we have with encampments. She said she supports completion of the trail, but she does not want to direct the students to walk on it.

Ms. Galvin commended Ms. Poncy on the thoroughness of her analysis and her community participation.

Ms. Smith asked for a copy of the safe routes to schools map for all City elementary schools.

PUBLIC HEARING/ORDINANCE: Release of Portion of Gas Easement in the Kenridge Subdivision (carried)

Release of Portion of Gas Easement in the Kenridge Subdivision

Ms. Hildebrand presented to Council.

Ms. Szakos asked why the easement exists and why we do not need it. Ms. Hildebrand said the easement serves gas lines for houses in Kenridge. We will still have 12 feet of access on the other side if this easement is granted.

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

Having no speakers, the hearing was closed.

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

Ms. Smith asked if the proposed decks would be built over the gas lines. Ms. Hildebrand said they would not.

APPROPRIATION: FY 2013 Year End Adjustments and General Fund Balance Transfer (carried)

FY 2013 Year End Adjustments and General Fund Balance Transfer

Mr. Wray presented to Council. Our year-end fund balance was \$3.2 million. Mr. Wray reviewed overages and under-budgeted items. City administration recommends \$1.6 million go to the CIP fund, \$350,000 go to a City-wide reserve account, and \$700,000 go to the retirement

fund to cover the 1% COLA granted in 2013. Details of the recommendations are given on Exhibit 1 of the Council's materials.

Ms. Smith asked about the utilities fund transfer of \$26,000 from gas to water. Mr. Wray said this funding covers the EPA stormwater fine, and this falls under the Water Resources Protection portion of the gas budget.

Ms. Szakos clarified that the budget under employee compensation and Parks & Recreation was not City-wide but was within the department itself.

Mr. Norris commended staff for wisely shepherding our taxpayer dollars and for once again coming in under budget. He explained why it is not feasible to return the surplus to our taxpayers and why we put the bulk of our surplus into the CIP.

Ms. Szakos commended staff on a job well done. She said we came close to our expenditure limits this year and asked staff not to cut it any closer than we did.

On motion by Ms. Szakos, seconded by Ms. Smith, the appropriation carried.

RESOLUTION: TJPDC Legislative Agenda

TJPDC Legislative Agenda

Mr. Blount presented to Council. An amendment has been added to the Chesapeake Bay TMDL provision since Council received their materials. At the request of one of the counties in the region, there is a request to delay that requirement by one year.

The Annual Legislative Forum will take place at TJPDC on Tuesday, December 3 at 6:00 p.m. and will focus on the Affordable Care Act.

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

RESOLUTION: City Legislative Agenda

City Legislative Agenda

Mr. Harris presented to Council. He overviewed the requests and policy positions on the City's legislative agenda.

Ms. Smith asked about legislation enabling the City to control speed limits within the City. She said this would be good to explore in the future. Ms. Szakos said we should present this to Virginia's First Cities next year to see if there is state-wide support.

Ms. Smith said the wording about the Uranium Ban is confusing. Mr. Harris said he will look into getting clear wording on this.

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

Mr. Norris said he appreciated the intent of the anti-idling policy under item four, but he questioned whether it was enforceable and asked if we have consulted with our police department. Education and persuasion would be a better path rather than legislation. Mr. Harris said the police did say there were enforcement issues; it would be more of a voluntary compliance issue. Signage and education would have to be part of making compliance a reality. Ms. Galvin and Ms. Szakos said they would like to explore this option. Mr. Norris said he will vote for the whole package but opposes item four.

Mr. Harris clarified that the First Fridays wine service matter is included in the package.

In line with the City's Healthy Eating Active Living initiative, Ms. Smith requested that Council take a five minute stretch break.

APPROPRIATION: Elliot Avenue Streetscape Design - \$43,400 (carried)

Elliot Avenue Streetscape Design

Mr. Tolbert gave an overview of the Elliott Avenue Streetscape Design project and fielded questions from Council.

Ms. Galvin said this is a good example of a healthy partnership between the City and a developer. Mr. Huja said this will add to the neighborhood.

Ms. Smith asked if the bicycle/pedestrian group supports this plan. Mr. Tolbert said they absolutely do. Ms. Smith confirmed we will not lose any trees. Mr. Tolbert said we will in fact gain trees.

On motion by Ms. Smith, seconded by Ms. Galvin, the motion carried.

REPORT: Piedmont Council for the Art's *Create Charlottesville* Cultural Plan

Piedmont Council for the Art's *Create Charlottesville* Cultural Plan

Mr. George Beller and Ms. Sarah Lawson presented to Council. They reviewed survey results and gave an overview of the long-range goals for the *Create Charlottesville* cultural plan. They requested Council's official endorsement of *Create Charlottesville*.

Mr. Huja thanked PCA for the presentation. He said they should be proud of the process they have created, and he supports the plan. Ms. Smith, Ms. Szakos, Ms. Galvin and Mr. Norris voiced their support for the plan as well and thanked PCA for creating a good planning process. Mr. Norris said Council and the County Board of Supervisors need to work to incorporate suggestions and funding needs to build the capacity of our arts community.

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

Ms. Galvin asked if there was a need for a liaison with the City. Ms. Lawson said the steering committee voted that the most appropriate liaison was through PCA. PCA will work with staff members as appropriate depending on the project.

REPORT: Granular Activated Carbon (GAC) Update

Granular Activated Carbon (GAC) Update

Mr. Frederick presented to Council. The EPA is continuing to increase their emphasis on the importance of safe drinking water. He reviewed the GAC project from start to present, including cost, alternatives, and community engagement.

Mr. Mark Bishop and Mr. Eric Rosenfeld of Hazen and Sawyer presented a brief power point presentation to Council, including project background, GAC treatment options, and qualitative considerations.

Ms. Smith asked if carbon can be recycled. Mr. Bishop said it can be regenerated. Ms. Smith asked why Scottsville and Crozet are going to full GAC for their water supply. Mr. Bishop said they are installing the smallest contactors available and providing the ability to do hybrid treatment if needed. Ms. Smith asked if they can trace the source of violations or determine if one treatment plant is more troublesome than the others. Mr. Bishop said they can model based on historical data.

Ms. Szakos asked when the hybrid model would be operational. Mr. Bishop said they will go live in early 2017. Ms. Szakos said any savings we can find in this project should be considered for use towards sewage treatment and odor control. Mr. Frederick said consultants have been tasked with resampling sources at the odor treatment plant. They are reexamining the entire process and will come back with the outcome of the study.

Mr. Norris said he is concerned over the implications of a recent article that Rivanna suffers from too much citizen input. Ms. Szakos said she read the article in the opposite way. Ms. Galvin said she was at the meeting, and the intent was to ensure the board clearly communicates with the public. Mr. Norris commended Mr. Frederick for increased transparency about Rivanna's work in recent years.

Ms. Szakos said the hybrid model makes sense to her, and excess money should go towards odor control. She said this reflects the general desire of the public meeting.

Ms. Smith said we should go with the full GAC model; she is surprised the price difference is so small.

Mr. Huja said he supports the hybrid model; if we find we need to do further filtration, we can do so.

OTHER BUSINESS

Mr. Huja said there is a request for Council to refer the Meadowbrook Flats SUP back to the Planning Commission. The applicants are conducting a redesign, and the matter needs to return to the Planning Commission for another hearing and recommendation on a revised plan.

On motion by Ms. Szakos, seconded by Ms. Smith, Council voted to refer the matter back to the Planning Commission. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Huja, Ms. Smith, Mr. Norris; Noes: None.)

The meeting was adjourned.

A handwritten signature in cursive script that reads "Yaiqe Rice". The signature is written in black ink and is positioned above a solid horizontal line.

Clerk of Council