

COUNCIL CHAMBERS – January 22, 2014

(Postponed from Tuesday, January 21, 2014 due to inclement weather)

CALL TO ORDER

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

AWARDS/RECOGNITIONS & ANNOUNCEMENTS

Ms. Galvin announced the Blue Ribbon Commission on Sustainable School Funding will discuss their final report with City Council and the School Board on Tuesday, January 28 at 4:00 p.m.

Ms. Szakos said the Downtown Transit Station is now open from 7:00 a.m. to 8:00 p.m. Monday through Saturday for full service activities. Sunday hours will remain 9:00 a.m. – 5:00 p.m.

Ms. Smith said there will be an open house to review design plans for the McIntire Trail Bridge. The bridge will connect the two sides of McIntire Park and support the 250 bypass multi-use trail from downtown to Hydraulic Road. The open house will be in the Charlottesville High School cafeteria on Tuesday, January 28 at 6:00 p.m.

Mr. Fenwick announced that City Council is currently accepting applications for openings on the following boards or commissions: Building Code of Appeals, CDBG Task Force, Housing Advisory Committee, Human Rights Commission, Regional Disability Service Board, and Youth Council. The application deadline is January 30.

Mr. Huja announced that the City of Charlottesville Budget Survey for Fiscal Year 2015 is available. The survey is online at www.charlottesville.org/budgetsurvey, or residents can contact the City Manager's Office for a paper copy, either in person at City Hall or by phone at 970-3031.

MATTERS BY THE PUBLIC

Ms. Lena Seville, 808 Altavista Avenue, suggested that the Ambassadors on the Downtown Mall should not be part of the police department but associated with the Visitors Center since their primary role is to offer assistance to tourists and visitors to the mall. More police presence is necessary on the Downtown Mall. She was happy to hear that transit bus service has expanded hours.

Mr. James Shisler, 901 Rugby Road, said he supports the project at 1000 West Main Street because it will enhance the West Main area by creating employment, new green space, parking, and will help reduce rental housing in residential neighborhoods.

Mr. Randy Page, 1401 Wellford Street, is concerned about damage to trees by non-native invasive plants, which prevent the natural growth of trees and block sunlight. He supports the controlled use of herbicides.

Mr. Stuart Kessler, 1625 Garth Road, supports the 1000 West Main Street project because it encourages pedestrian traffic and offers more opportunity for students to obtain rental housing near the University. He said the Planning Commission condition requiring residents to attend a course in civility was inappropriate.

Mr. Steve Bus, a representative of Campus Acquisitions and developer of the 1000 West Main Street project, stated the project will benefit the West Main Street area and blend in well with the adjacent medical facilities. He said the success of the project depends on the details of the site plan and special use permit conditions, and they would like modifications to the conditions proposed by the Planning Commission.

Ms. Valerie Long, attorney for Campus Acquisitions, stated they will be proposing revisions to the resolution for the special use permit.

Ms. Rebecca Quinn, 104 4th Street, N.E., questioned Council's authority to postpone the Council meeting without advance notice to the public. She was also concerned that notices of closed sessions frequently do not offer enough information on what Council will be discussing and suggested the agenda and notice state the specific reason for the closed session.

Mr. Louis Schultz, 1809 East Market Street, complained that he has appeared or contacted Council eight times about the lack of staff response to certain issues he has with the City about Steephill Street. He accused Councilors and staff of ignoring his requests for a hearing on the issues and making false statements to him.

Ms. Nancy Carpenter, Albemarle County resident, requested that Council use the economic engine to ensure that new projects benefit the low income and homeless through job opportunities and suggested the Section 3 coordinator for the City should be involved with this effort.

Mr. Scott Tumperi, 1800 Jefferson Park Avenue, said he is concerned about increased traffic that will be created by the proposed apartment building project at 1000 West Main Street, despite the requirement for a traffic study. He urged Council to consider the impact of having so many housing units per acre, especially when it becomes fully occupied, and recommended scaling back the project.

COUNCIL RESPONSE

Mr. Fenwick stated that transit schedules are designed with seniors and the disabled in mind. He suggested that the Department of Forestry may have information on how to control invasive plants. Mr. Fenwick said any postponement of Council meetings should be prominently

displayed on the City website and agreed that closed session notices should contain more detailed information on the topics to be discussed. In response to Mr. Schultz, Mr. Fenwick said his comments about needing new ideas were in the context of the budget and how to raise revenue without raising taxes.

Ms. Smith agreed that closed session notices should be more specific, and City Attorney Craig Brown added that closed session topics can change or be added after the agenda is published, so citizens should check the website regularly and close to the date of the Council meeting. Ms. Smith requested a report from Parks & Recreation on the problem of invasive plants and possible solutions. Ms. Smith said she confirmed that the law allows Council to postpone a Council meeting when necessary.

Ms. Szakos stated there is a difference between the role of the downtown Ambassadors and the role of the police officers. She agreed with Ms. Quinn's suggestion on the closed session notices. In response to Mr. Schultz, she informed him that the Freedom of Information Act only requires the City staff to produce documents in their possession, and all such documents were produced for Mr. Schultz. She told Ms. Carpenter that Section 3 regulations only apply to HUD-financed buildings, but she believes the principles of Section 3 should be applied to local construction projects whenever possible, and the Section 3 coordinator should try to meet with homeless advocacy groups.

Ms. Galvin said she agrees with her fellow Councilors' comments and supports generally the expansion of opportunities for the homeless and low income population.

Mr. Huja agreed with the other Councilors about expanding the closed session notices. He advised Mr. Schultz that all documents were disclosed in response to his FOIA request and denied that any false statements were made by Councilors to Mr. Schultz.

City Manager Maurice Jones advised Councilors that a report from Parks & Recreation on trees, trails and parkland acquisition will be presented to them on February 18, and the report will address the invasive plant issue.

CONSENT AGENDA

The consent agenda was read into the record. On item 1(j), Ms. Smith questioned whether staff had made any additional effort to communicate with the Clark School neighborhood on the details of the project funded by the Safe Routes to School grant to be approved tonight by Council. She said a similar grant-funded project on Hinton Avenue resulted in neighborhood concerns about the work done. Mr. Tolbert, NDS Director, responded that the Clark School PTO helped create the project plan for Clark School, and there was extensive community involvement. Mr. Tolbert promised to remind the neighborhood of the scope of the proposed pedestrian improvements. Mr. Maurice Jones also said he would research the Hinton Avenue resident concerns.

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

- a. **Minutes for January 6**
- b. **APPROPRIATION: 2013 Edward Byrne Memorial Justice Assistance Grant (JAG) - \$27,039 (2nd reading)**
- c. **APPROPRIATION: Thomas Jefferson Crisis Interview Team Asset Forfeiture Transfer Program - \$111,726 (2nd reading)**
- d. **APPROPRIATION: 2014 Department of Motor Vehicles Virginia Highway Safety Grant for Alcohol Enforcement - \$13,950 (2nd reading)**
- e. **APPROPRIATION: 2014 Department of Motor Vehicles Virginia Highway Safety Grant for Alcohol Enforcement - \$13,950 (2nd reading)**
- f. **APPROPRIATION: 2014 Department of Motor Vehicles Virginia Highway Safety Grant for Speed Enforcement - \$6,720 (2nd reading)**
- g. **APPROPRIATION: BAMA Works Fund Check and Connect Grant - \$10,000 (carried)**
- h. **APPROPRIATION: FY 2014 Aid to Localities Fire Disbursement Fund - \$122,138 (carried)**
- i. **APPROPRIATION: FY2014 Transit Grants - \$213,693 (carried)**
- j. **APPROPRIATION: Safe Routes to School Grant – Clark School Pedestrian Improvements (carried)**
- k. **ORDINANCE: Easement to Dominion Power at Public Works Center on Avon Street (carried)**

Mr. Fenwick asked Mr. Jones to explain the purpose of the consent agenda, as he noticed there are many appropriations on the consent agenda. Mr. Jones responded that the consent agenda was intended for routine agenda items, and that many of the appropriations were for pass-through grant funding. He said Councilors always have the option of removing a consent agenda item if he or she believes it warrants public discussion.

RESOLUTION: SPECIAL USE PERMIT (SUP) FOR 1000 WEST MAIN STREET

Brian Haluska, NDS planner, briefly reviewed the project and recommendations from the Planning Commission at their January 14 meeting. He suggested that a new condition to reduce

the Roosevelt Brown Boulevard setback requirement to 5 feet be added to the requested SUP; this is shown on the site plan but should also be a condition of the SUP. Mr. Haluska responded to Mr. Fenwick's question about appurtenances.

On behalf of Campus Acquisitions Holdings, LLC, Mr. Stephen Bus made a brief presentation on the proposed mixed-use building at the corner of West Main Street and Roosevelt Brown Boulevard in support of its request for approval of an SUP to allow a maximum building height to 101 feet, increased residential density to a maximum of 193 dwelling units per acre, and modification of the setback and stepback requirements. He addressed the concerns expressed about job opportunities for Charlottesville residents and agreed to work with the City's Section 3 coordinator on this issue.

There was discussion on the number of four-bedroom units, their location in the building, and concerns about stacked units. Ms. Szakos asked about the affordability of the units, and Mr. Bus said the many different types of units would appeal to a diverse population, including students, young professionals, families, and seniors, at different income levels. Mr. Bus said the building would have a community room for the tenants, retail space on Roosevelt Brown Boulevard, a plaza, and a design that would encourage engagement with the boulevard traffic.

In response to questions about issues involving the University of Virginia, Mr. Bus stated they have established a framework for working with UVA on issues that are by-right issues and not relevant to the SUP conditions. They have given the Federal Aviation Administration the required notice about building height and stated it would not interfere with the helipad at UVA Hospital. Mr. Bus requested that Condition #3 of the SUP be amended to require them to collaborate with UVA on the airflow study but not to ensure a particular outcome. In response to Mr. Fenwick's question, Mr. Bus stressed that UVA is not a partner in this project.

There was discussion on the impact of this project on adjacent businesses (UVA CoreLab, a hotel, the Patton Mansion, etc.), and Mr. Bus stated they are working with adjoining property owners on issues such as air quality and traffic.

The streetscape plan for the project was discussed, and Mr. Bus assured Council that their plan fits in well with the West Main Street streetscape.

Mr. Bus addressed Mr. Fenwick's concern about requiring bonds to make sure the project is completed in accordance with the plan. Mr. Bus stated that public improvements are bonded, and the general contractor has to submit a performance bond. Mr. Craig Brown advised Council that public improvements, erosion and sediment control, etc. can be bonded, but there is no legal authority to require completion bonds of an owner.

Ms. Smith asked about garage entrances; Mr. Bus said there are two garage entrances and undergrounding the existing utility poles is a possibility. Mr. Bus stated there are no utility poles located on any of the frontages of this project. There is a communications line, but they are working with UVA on this issue. Mr. Bus commented on the huge expense of undergrounding existing utility lines, and Mr. Huja stated that this cannot be required as part of the SUP. Ms.

Galvin expressed her hope that the Rhodeside & Harwell group can come up with a solution to undergrounding the utility lines before the project is completed.

Mr. Huja asked Council for their comments and disclosed that he is on the Jefferson Area Board for Aging (JABA), which will benefit from this project. Mr. Huja said he will recuse himself from voting on any JABA board decision that involves the project.

Mr. Huja said he would like to add Mr. Haluska's requested condition of reducing the Brown Boulevard setback to 5 feet to the SUP. Ms. Smith asked whether the SUP conditions could include a requirement to provide adequate parking for construction employees, as this was a problem for other projects. Mr. Bus said this is part of the construction planning, and there are parking options.

Mr. Huja suggested that Condition #3 be amended. Ms. Szakos agreed to remove the language about the exhaust from adjacent generators not impacting the residents of the project.

Ms. Galvin asked to change Condition #7 to state: "The number of four bedroom units referenced in the application [106 4-bedroom units] will be situated on floors in a manner that isolates them from 0, 1 and 2-bedroom units, as practical." Council and Mr. Bus agreed to this change.

Ms. Szakos commented on Condition #6, and Mr. Bus stated they will incorporate in the lease a "rules and regulations" clause approved by City staff, which will be signed by each tenant.

Ms. Valerie Long, attorney representing Campus Acquisitions, LLC, commented on the collaboration with UVA on multiple issues. She proposed alternative language to Condition #3 regarding the airflow study because UVA had all the data and wanted to control the study. Mr. Bus was concerned that as an unintended effect of the condition, Campus Acquisitions would be obligated to fix or pay for any problem with generator exhaust from CoreLab. Mr. Joseph DeLew, RMF Engineering, on behalf of the developer, gave background information on the Corelab exhaust issue. There was further discussion on what the City could legally require from other parties. The City Attorney proposed alternative language to state that the Applicant and UVA would collaborate on an airflow study of the site and surrounding properties to address the continued operation of existing buildings adjacent to the proposed structure. Ms. Long asked, and Council members agreed, that the condition be modified to specifically identify 1000 West Main Street.

Mr. Fenwick asked Ms. Long to state again that UVA or ancillary organizations do not have any legal interest in the project, nor will it eventually own the building; she confirmed that UVA does not now, nor do they expect it to ever, have any ownership in the project.

Mr. Huja summarized the changes proposed to the SUP Resolution, specifically to Conditions #3, #6, #7, and adding a new Condition #8. Ms. Galvin said the SUP process creates a better project and should be streamlined to allow smaller developers to build. She praised

Campus Acquisitions for their cooperation in creating enhancements for surrounding small businesses, walkability, and pedestrian improvements.

Ms. Szakos commented that the project increases affordable housing and helps to preserve neighborhoods.

Ms. Smith stated the project does not align with the Council Vision on housing as the staff memo indicated, is too dense and too high. She said she was offended that appurtenances are used to create an additional story to the building.

Mr. Fenwick objected to the project because it would prevent property owners from using accessory apartments for extra income with all the apartment housing being built. He stated UVA is taking over West Main, and the City is spending a lot of money on these projects, which means less money is available for pre-kindergarten education.

Ms. Galvin responded that an increase in rental housing results in lower rents, and housing competition is a good thing. The neighborhoods will benefit, and the increased taxes will help schools.

On motion by Ms. Szakos, seconded by Ms. Galvin, the resolution passed (Ayes: Mr. Huja, Ms. Szakos, Ms. Galvin; Noes: Mr. Fenwick, Ms. Smith).

PUBLIC HEARING/RESOLUTION: RELEASE OF DRAINAGE EASEMENT AT 1000 WEST MAIN STREET

Mr. Craig Brown, City Attorney, presented a summary of the request by The Ivy Land Trust for the City to release a drainage easement acquired by the City in 2002 during the construction of Roosevelt Brown Boulevard. New development on the site will replace the drainage structure with a storm detention system. Mr. Bus explained that the existing easement was primarily to maintain the slope, and the location of the new building will obviate the need for such drainage structure or slope. Ms. Valerie Long stated the existing drain inlet will remain in place until the new stormwater facilities are built. Mr. Steve Driver, civil engineer for the developer, stated that the stormwater will be piped into the new stormwater basin.

Mr. Huja opened the Public Hearing.

Mr. Scott Tumperi asked where the stormwater would go once the City quitclaims the easement.

Mr. Joseph DeLew, an engineer on the new project, stated that the new stormwater management system will handle all drainage from the site. He said the run-off will be handled by bio-retention facilities.

Having no further speakers, the Public Hearing was closed.

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

PUBLIC HEARING/ORDINANCE: REVISE NDS FEE SCHEDULE
PUBLIC HEARING/ORDINANCE: AMEND CAFÉ AND VENDOR FEES AND REGULATIONS

Mr. Jim Tolbert presented the proposed changes to the sidewalk café and vendor regulations. Staff is recommending year round permits for café owners and will require cafes to have “stable detectable bottoms”, per the requirements of the Americans with Disabilities Act (ADA) so that blind persons can feel the outside boundary of the café area. Staff recommends changing the annual fee to a quarterly payment plan and allowing the use of outdoor heaters. Vendors would be able to use City electricity for operation of cash registers and credit card processing, as café owners are currently able to do. Mr. Tolbert stated the proposed fees to be charged, including a new annual fee of \$25 for non-profit organizations.

In response to Ms. Smith’s question, Mr. Tolbert said they solicited input from the café owners and vendors, and there was no opposition to the proposed changes.

Ms. Galvin asked why the fees need to be increased. Mr. Tolbert said the City has not increased fees in five years and needs to accurately value the public space being leased.

Ms. Szakos said the Downtown Mall committee report might inform Council on revenue from café space that could be used to improve the Mall. Mr. Tolbert estimated the City would realize an additional \$50,000 in revenue, and Council could decide to use it for Mall enhancements.

Mr. Huja opened the Public Hearing.

Ms. Rebecca Quinn said she lives on the Downtown Mall and appreciates having the open space in the winter without the café furniture crowding the pedestrian walkway. She also thinks the City needs to ensure that someone will keep it clean.

Ms. Lena Seville stated that the outdoor heaters waste energy and would like to see cafés semi-enclose their spaces.

Having no further speakers, the Public Hearing was closed.

Ms. Smith said year-round cafés may cause unsightly storage problems.

Ms. Galvin said it may be more appropriate to consider the issue in the larger context of the Downtown Mall maintenance plan, especially since Council is hearing a report tonight on the Downtown Mall. She asked whether the Downtown Business Association of Charlottesville (DBAC) was involved.

Ms. Szakos commented that the budget process may require more immediate action, depending on where the revenue will be going. Mr. Tolbert stated that renewal permits are issued on March 1.

Mr. Huja stated that the increase in café space rental seemed too steep (from \$3/square foot to \$5/square foot), but he would support \$4/square foot. Mr. Tolbert commented that a majority of the café owners already pay the increased rent in order to stay open year-round.

Mr. Fenwick asked Mr. Tolbert to confirm that the DBAC is aware and in favor of these changes; Mr. Tolbert confirmed that DBAC was notified and has asked for the year-round option in the past. He explained that café owners do not have to operate year-round, but they will still pay the increased rental fee. He also confirmed there have been no past problems with outdoor heaters.

On motion by Ms. Smith, seconded by Ms. Szakos, the Ordinance to Amend Café and Vendor Fees and Regulations was carried.

On motion by Mr. Fenwick, seconded by Ms. Szakos, the Ordinance to Revise the NDS Fee Schedule was carried.

REPORT: DOWNTOWN MALL WORK GROUPS UPDATE

Mr. Jones reported that the Downtown Mall work groups were formed in August 2013 to address various Downtown Mall issues. He commented on the successful activities taking place on the mall and the decrease in criminal incidents and calls for service to the police. Mr. David Ellis, Assistant City Manager, presented a report on the work groups, which included Human Services, Economic Development, Physical Plant, and Law Enforcement. Many local organizations were involved in the work groups. The issues discussed included cameras on the mall, lighting, workforce development, a special service district, parking meters, signage, outsourcing maintenance, smoking, bench replacement, and movies in the amphitheater.

Ms. Smith asked whether the City could regulate smoking outdoors on the Mall. Mr. Brown stated there is related legislation requested in the legislative program this year, but there is no enabling legislation to regulate outdoor smoking currently.

Mr. Ellis addressed bench replacement; Ms. Galvin commented the new benches would be designed to discourage long term use. Mr. Jones said the business owners were consulted on the placement and style of benches, but there was less space to put new benches.

Mr. Ellis reported that older signs will be replaced, with QR codes on the new signs. He said Mr. Stroh, manager of the Charlottesville Parking Center, said the CPC provided over \$800,000 in free parking through the validation system in 2013.

The law enforcement group recommended cameras on the Mall to be used by the police, more police officers, and enhanced lighting.

The work groups will look at overall costs, strategic plan, and the budget over the next three to six months.

Mr. Fenwick praised the Downtown Mall Ambassadors for their work. Ms. Szakos questioned whether their role has strayed from the main purpose of visitor assistance. Mr. Jones said staff will be examining the responsibilities of Ambassadors. Ms. Galvin commented that Ambassadors would more logically be a function of the Visitors Center. Mr. Jones said the Visitors Center is a joint City-County organization, so Albemarle County would have to be involved. There was further discussion on what the role of the Ambassadors should be, and how it would be funded.

Several Councilors commented that if outsourcing maintenance is considered, then Council should consider training the homeless and hard-to-employ population for such maintenance. Mr. Jones stated that The Crossings has facilitated job training for many homeless people.

In response to Mr. Huja, Mr. Jones said there will be a report to Council on February 18 on vehicular crossings and the mall bricks.

Ms. Galvin suggested the work groups use the PLACE Design Task Force members as a resource. Mr. Ellis said the DBAC did a walking tour of the Mall and will do so again. Ms. Galvin suggested using public art to mitigate the unsightly appearance of the Landmark Hotel as part of mall maintenance.

Mr. Chris Engel responded to Ms. Galvin's question about when there would be a report on a special service district, stating they are speaking with local businesses now and hope to have a report in March or April.

Ms. Smith liked the idea of the movies after dark and is still interested in having a public stage for children's theater on the Mall.

Mr. Tolbert said there will be a report and action requested at the February 3 Council meeting on the Landmark Hotel blight issue, following up on the Planning Commission recommendations. Mr. Tolbert said he has sent notice to Mr. Dewberry, the owner of the Landmark Hotel property, of the upcoming Council meeting on February 3 to discuss this issue.

In response to Ms. Galvin's question, Mr. Jones said a review of the Ambassadors' role will be part of his discussions with the Police Chief, as well as the budget process. Ms. Szakos suggested using volunteers as ambassadors in a supplemental capacity during the summer.

RESOLUTION: HARTMAN'S MILL PARKLAND ACQUISITION

Mr. Brian Daly, Director of Parks and Recreation, reported on the proposed purchase of approximately 20 acres of land, known as the Hartman's Mill property. He described the historical background of the property and the proposed use of the land as parkland. Mr. Gensic,

Trails Planner, explained that four acres are on the City side of Moore's Creek, and 16 acres are on the County side, so at least four acres could be combined with the existing Jordan Park.

Ms. Smith said this is a significant acquisition, given the importance of mills in our cultural past. Ms. Galvin said she would like an update on how much the City is spending on parkland acquisition and the maintenance costs. Mr. Jones said those costs would be part of the strategic planning process. Mr. Daly said a report will be presented at the February 18 Council meeting, which would include the intended purpose of each acquisition.

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

RESOLUTION: WATER STREET EXTENDED STREETScape IMPROVEMENTS - \$356,525

RESOLUTION: APPROVE FUNDING AGREEMENT WITH CEDA

Mr. Tolbert reported on parking issues and lack of street trees in the area of Carlton Avenue and Meade Avenue, where Parks and Recreation is constructing a multi-use trail. City staff tried to address the issues by involving the PLACE Design Task Force, the Bike/Pedestrian Committee, the Tree Commission and a landscape architect in creating a multi-use 2,300 foot trail on Water Street Extended near the new CityWalk development to connect with the Carlton/Meade trail. He said the most cost-effective way to accomplish this is to partner with the developer of CityWalk and allow his contractor to construct the enhancements since they are already doing construction in that area. Mr. Tolbert said the request is for \$356,525 to be allocated from already appropriated funds in the Capital Improvements fund and transferred to the Charlottesville Economic Development Authority (CEDA). The second request is for Council to approve a funding agreement between the City and CEDA, whereby CEDA will contract with the CityWalk developer to construct the improvements.

Ms. Szakos questioned whether Section 3 might be used in this project, but Mr. Tolbert stated that the developer has already hired a contractor. He said we could ask the contractor to use Section 3 provisions when hiring new employees.

Ms. Smith asked about the number of new trees and what kind of trees would be planted. Mr. Tolbert described the types of trees and why they were selected. There was discussion on the appropriate types of trees chosen for projects, and Mr. Tolbert said these were recommended by the Tree Commission.

Ms. Szakos asked for the resolution approving the funding to be amended to add that City staff will request the developer of CityWalk to work with the City's Section 3 Coordinator if new employees are hired for the streetscape improvements to Water Street Extended.

On motion by Ms. Szakos, seconded by Ms. Galvin, the resolution to authorize funding of \$356,525 passed as amended. (Ayes: Mr. Huja, Ms. Szakos, Ms. Galvin; Mr. Fenwick, Ms. Smith; Noes: None.)

On motion by Ms. Szakos, seconded by Ms. Galvin, the resolution approving a funding agreement with CEDA passed (Ayes: Mr. Huja, Ms. Szakos, Ms. Galvin; Mr. Fenwick, Ms. Smith; Noes: None).

REPORT: HEALTHY EATING ACTIVE LIVING (HEAL) UPDATE

Mr. David Ellis, Assistant City Manager, said there are three departments in leading roles on the promotion of the principles of HEAL: Parks and Recreation, Neighborhood Development Services, and Human Resources. Mr. Ellis reviewed activities undertaken by each department and summarized the next steps in the process. He said a comprehensive document will be drafted within 60 days as a guide for the next 18 months.

Ms. Smith expressed concern about children in City programs receiving soda and candy as rewards. Ms. Galvin said the City should serve healthy food at the town hall meetings, and Mr. Jones said staff is trying to offer more nutritious meals and water at meetings. Ms. Szakos said the comprehensive document should include the healthy living programs and the *Let's Move* program sponsored by the schools. Ms. Galvin asked for the Strategic Investment Area update to be included in the comprehensive document.

Council members discussed the various ways that the City promotes healthy living, through artwork in stairways, the programs at Carver Recreation Center, etc.

OTHER BUSINESS

Mr. Fenwick commented that the bricks on the Downtown Mall near the Regal Theater are in poor repair. Council members discussed the options for getting the repair done, and Mr. Jones said he would consult with the City Attorney. Ms. Szakos asked for the update to be part of the report to Council on February 18.

MATTERS BY THE PUBLIC

Mr. Scott Tumperi, 1800 Jefferson Park Avenue, told Council about the LED lights at the top of his building, which work well. He also commented on the SUP conditions for 1000 West Main Street and the fact that many older houses in the University Corner area are now serving as rentals for students. He also remarked that California has a law that controls the construction of tall buildings that impact adjacent buildings by eliminating the sunlight, which effectively removes the energy efficiency of solar panels.

Mr. Jon Bright, 109 Altamont Circle, thanked staff for their work on the Downtown Mall. He said everyone should be an ambassador and make an extra effort to help tourists and visitors. He recommended that maps of the area be made available.

Meeting adjourned.