

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, April 7, 2014, 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 – April 7, 2014

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

On motion by Ms. Szakos, seconded by Ms. Smith, Council voted, (Ayes: Mr. Huja, Ms. Galvin, Mr. Fenwick, Ms. Smith, Ms. Szakos; Noes: None), to meet in closed session for discussion and consideration of prospective candidates for (1) Discussion of the acquisition of real property located on 11th Street, N.W.; on Page Street; and on Ridge Street, all for a public purpose, where discussion in an open meeting would adversely affect the City’s negotiating strategy, as authorized by Va. Code sec. 2.2-3711 (A) (3); and, (2) Discussion of the disposition of City-owned real property on Kenwood Lane, where discussion in an open meeting would adversely affect the City’s bargaining position, as authorized by Va. Code sec. 2.2-3711 (A) (3); and, (3) Discussion of the award of a public contract for recycling services that involves the expenditure of public funds, including a discussion of the terms and scope of such contract, where discussion in an open session would adversely affect the City’s negotiating strategy, as authorized by Va. Code sec. 2.2-3711 (A) (29).

On motion by Ms. Szakos, seconded by Ms. Smith, Council certified by the following vote (Ayes: Mr. Huja, Ms. Galvin, Mr. Fenwick, Ms. Smith, Ms. Szakos; Noes: None), that to the best of each Council Member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion convening the closed session were heard, discussed or considered in the closed session.

COUNCIL CHAMBERS – April 7, 2014

CALL TO ORDER

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

AWARDS/RECOGNITIONS

Mr. Fenwick said the City Market has kicked off its season and invited citizens to attend.

Mr. Fenwick read a proclamation for "Charlottesville Sparkles", a City-wide clean-up initiative for the week of April 12. Ms. Laura Galgano with Blue Moon Diner and Mr. Peter Castiglione with Maya restaurant were present to accept the proclamation.

Ms. Smith read a proclamation for Local Government Education Week. Ms. Amy Laufer was present to accept on behalf of the Charlottesville City School Board.

Ms. Galvin announced the City-wide bagged leaf collection on the week of April 14. Call 970-3830 for more information. She also announced the McIntire Skate Park Design Workshop on Tuesday, April 8.

Ms. Szakos read a proclamation for Fair Housing Month. Ms. Karen Reifenberger was present to accept the proclamation and shared a 30 second PSA.

Ms. Szakos announced the Charlottesville Sister City grants application process has been opened for the spring. Applications are due by May 1 to cvillesistercities@gmail.com, or they can be mailed to P.O. Box 911, Attn. Paige Rice.

Ms. Smith announced the Charlottesville Albemarle African American History Charrette at the Jefferson School City Center on April 12.

Mr. Huja announced that he read a proclamation for Child Abuse Prevention Month at their event on April 1 and encouraged citizens to be aware of this issue.

Mr. Huja announced the City has eliminated the box from their job applications regarding past criminal history in an effort to reduce barriers to employment for ex-offenders.

Mr. Tolbert announced the Planning Commission Award recipients for 2014:

NDS Staff Member of the Year
2014 Winner: Kathy McHugh

The Herman Key, Jr., Access to the Disabled Award
2014 Winner: Jim Herndon

The Eldon Fields Wood Design Professional of the Year
2014 Winner: Cunningham Quill Architects

Neighborhood of the Year
2014 Winner: West Main

Outstanding Neighborhood Effort
2014 Winner: Strategic Investment Area (SIA)

Outstanding Plan of Development
2014 Winner: Jefferson School City Center

Citizen Planner of the Year
2014 Winner: Bill Emory

Outstanding Sustainable Development
2014 Winner: City Schoolyard Garden

MATTERS BY THE PUBLIC

Ms. Kathy Johnson Harris, 902 Raymond Rd., commended Council for making Charlottesville a second chance city. She said opinions should not be biased before jobs are filled. She asked them to reach out to interview boards to give people a chance to come forward who are interested in doing so.

Mr. John Cruickshank, 324 Parkway St., said it is important to invest in Charlottesville's neighborhoods, especially sidewalks, crosswalks, bicycle lanes, trees, parks, and education. He thanked Councilors for meeting with his neighborhood to discuss safety concerns near Northwood. He said he sent a letter to Council on behalf of the Sierra Club asking Virginia Dominion Power to commit to renewable energy and energy efficiency and reduce carbon dioxide pollution. He invited Councilors to "A Chemical Reaction" on April 27 at the central library.

Mr. James Nix, 2402 Kerry Ln., said he supports the cost share agreement. He said you cannot base sewer capacity on water consumption. Also, peak flows are what counts for sewer systems. Our share of the cost of future projects should fall if this agreement works as it is intended. He urged Council to approve the agreement. He also said the second chance city is a wonderful idea, and he supports it.

Mr. Peter Castiligione, owner of Maya restaurant, 633 W. Main St., is a resident of Woolen Mills and a member of the PLACE Steering Committee. On behalf of the Midtown Association, he asked for \$340,000 in the upcoming budget for the design project on West Main and to bring midtown up to the same speed as the Downtown Mall. He also asked for help branding "Midtown" with City signage and marketing. He invited Councilors to join the "City Sweepers" this Saturday from 10am-1pm. They will walk the streets and mulch trees, collect debris, and perform other tasks to spruce up their street.

Mr. Paul Grady, 4398 Rockfish Gap Tnpk., said he was dismayed the last market district consultant's charge was included with a no purchase of land limitation. He suggested using the right of way from First Street from Water Street to South Street for a two story City Market construction with a roof.

Ms. Kerin Yates, 1932 Arlington Blvd., with the League of Women Voters (LWV), said they have national and local recognition for championing healthy water. The LWV board urged Council to adopt the cost share resolution before them tonight on the principle of having the

capital costs fairly proportioned among users, reduce the infiltration of stormwater, and reflect the cost of growth as the County's population increases in an equitable fashion.

Mr. Chris Hays, 1900 Chesapeake St., said he is immediately adjacent to the current pump station site and thanked Council for their vigilance to be sure the pump station was not rebuilt in larger form at the entrance of Riverview Park. The proposed cost share agreement is more equitable than the current agreement and reflects a commitment to a green city.

Mr. Jim Rounsevell, 1113 Monticello Rd., encouraged the public to participate in the Belmont Bridge process. He said this site is loaded with history and opportunity.

Ms. Carol Thorpe, 1318 Oak Tree Ln., Chair of the Jefferson Area Tea Party (JATP), said Tuesday, April 15 will mark the fifth anniversary of the JATP. They try to be vigilant watch dogs for the taxpayers and control the role of government. She said she does not believe in proclamations and is coming during Matters by the Public as others should to speak about her organization's accomplishments.

Ms. Nancy Carpenter, 727 Denali Way in the County, asked for the CAT report to be moved ahead on the agenda. She said she went to Charlottesville High School and represented alternatives to military service. She said there are many budding entrepreneurs in the high school. She said the Tom Tom Festival should consider doing a junior level kick-starter program.

Ms. Kathy Welch, 2924 Idlewood Dr., in the Rio district of Albemarle County, said her main focus has been to encourage cooperation between the City and County in transit, and being the County representative on the CAT Advisory Board has helped her in that effort. She said CAT has been helpful and supportive to her and thanked them. She requested the CAT presentation be moved up on the agenda.

COUNCIL RESPONSE

Mr. Huja said the Council asked staff to do an RFP for the City Market, and there were four proposals that all look good. Council and the public will have a chance to look at these proposals. He moved the CAT report to number four on the agenda.

Ms. Szakos said it was nice to hear gratitude from tonight's speakers. She said she is a big supporter of the "Ban the Box" revolution. She said we need to make sure we are training our staff on the hiring process.

Ms. Smith said she supports "Ban the Box", and she thanked former Councilor Dave Norris for being instrumental in putting this issue in front of the public. Ms. Smith asked to put Mr. Cruickshank's letter at the end of the agenda for Council's consideration. She thanked Ms. Welch for her service on the CAT Advisory Board, which brings together great partners for public transportation. She said she is concerned about public disclosure, and this is why she is very concerned about the cost share agreement. She said she is disappointed that the LWV did not disclose that one of their members was on the negotiation team for the cost share agreement.

Ms. Galvin asked staff to follow up on staff members being sensitive to the interview process, especially in light of the “Ban the Box” initiative. She said Council should discuss the whole plan addressed in the Sierra Club’s letter instead of just voting on it before we agree to sign a letter of support. She thanked citizens for their comments supporting the cost allocation agreement. She thanked Mr. Castiglione for the details on the Midtown project. She said the goal for the Belmont Bridge is to get both the underpass and the bridge options on the table for equal comparison and discussion.

Mr. Fenwick said he appreciated the efforts of citizens who pay attention to the people of the City and the neighborhoods. He thanked Ms. Galgano and Mr. Castiglione for coming to support Charlottesville Sparkles and the Midtown corridor. He said Council will make sure the advisory council will have citizen representation for the City Market. He thanked Ms. Thorpe for speaking about things we are not used to hearing. He encouraged Ms. Welch to continue speaking out about public transit.

CONSENT AGENDA

- a. **Minutes for March 17**
- b. **APPROPRIATION: Special Events Sponsorships - \$10,869 (2nd reading)**

Special Events Sponsorships

WHEREAS, the City of Charlottesville, through the Parks & Recreation Department, has received sponsorship funds in the amount of \$10,869 for the Sunday Sundowns and the Downtown Safe Halloween Festival special events

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville funding is hereby appropriated in the following manner:

Revenue

\$2,803 Fund: 105 Cost Center: 3661001000 G/L Account: 434230
 \$8,066 Fund: 105 Cost Center: 1800006 G/L Account: 451020

Expenditures

\$1,080 Fund: 105 Cost Center: 3631004000 G/L Account: 510030
 \$1,843 Fund: 105 Cost Center: 3651001000 G/L Account: 510040
 \$2,947 Fund: 105 Cost Center: 3651001000 G/L Account: 520600
 \$1,078 Fund: 105 Cost Center: 3661001000 G/L Account: 510030
 \$3,921 Fund: 105 Cost Center: 3661001000 G/L Account: 520600

- c. **APPROPRIATION: Department of Social Services Appropriation for Salary Alignment and Office Space Furnishings - \$211,490 (2nd reading)**

Department of Social Services Appropriation

WHEREAS, The Charlottesville Department of Social Services has received additional funding in the amount of \$211,490 due to a change in the methodology for reporting federal passthrough expenditures.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$211,490 is hereby appropriated in the following manner:

Revenue – \$211,490

Fund: 212 Cost Center: 9900000000 G/L Account: 430080

Expenditures - \$211,490

Fund: 212 Cost Center: 3301001000 G/L Account: 510010 Amount: \$3,598.40

Fund: 212 Cost Center: 3301002000 G/L Account: 510010 Amount: \$227.83

Fund: 212 Cost Center: 3301003000 G/L Account: 510010 Amount: \$1,764.99

Fund: 212 Cost Center: 3301004000 G/L Account: 510010 Amount: \$219.87

Fund: 212 Cost Center: 3301005000 G/L Account: 510010 Amount: \$3,808.89

Fund: 212 Cost Center: 3301007000 G/L Account: 510010 Amount: \$19.70

Fund: 212 Cost Center: 3301008000 G/L Account: 510010 Amount: \$37,761.12

Fund: 212 Cost Center: 3301009000 G/L Account: 510010 Amount: \$248.78

Fund: 212 Cost Center: 3301009000 G/L Account: 510010 Amount: \$1,662.16

Fund: 212 Cost Center: 3301013000 G/L Account: 510010 Amount: \$562.01

Fund: 212 Cost Center: 3343006000 G/L Account: 510030 Amount: \$22.22

Fund: 212 Cost Center: 3301001000 G/L Account: 599999 Amount: \$161,594.03

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Total: \$211,490

d. APPROPRIATION: Appropriation of Escrowed bond funds from the Landmark Hotel - \$111,006.39 and Transfer of \$102,506.39 (2nd reading)

Appropriation of Escrowed bond funds from the Landmark Hotel

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the following is hereby appropriated and transferred in the following manner:

Appropriation:

\$111,006.39 Fund 426 Funded Program CP-080 - WBS P-00684 GL Account: 451999

\$111,006.39 Fund 426 Funded Program CP-080 - WBS P-00684 GL Account: 599999

Transfer From

\$ 102,506.39 Fund: 426 Funded Program: CP-080 - WBS P-00684 G/L Account: 561426

Transfer To

\$ 102,506.39 Fund: 427 WBS: P-00335 G/L Account: 498010

\$ 102,506.39 Fund: 427 WBS: P-00335 G/L Account: 599999

- e. **APPROPRIATION: CDBG & HOME Funds for FY 2014-2015 Appropriations and Reprogramming (pulled for discussion on regular agenda)**
- f. **APPROPRIATION: Greenstone on 5th Corporation Sponsorship Agreement - \$84,194 (carried)**

Greenstone on 5th Corporation Sponsorship Agreement

- g. **APPROPRIATION: Domestic Violence Services Coordinator Grant - \$44,836 (carried)**

Domestic Violence Services Coordinator Grant

- h. **RESOLUTION: Loan Extension Request for The Lewis & Clark Exploratory Center of Virginia, Inc. - \$130,000**

BE IT RESOLVED by the City Council of the City of Charlottesville that the due date for funds previously transferred from the City's Strategic Investment Fund to the Charlottesville Economic Development Authority (CEDA) for the purpose of a loan to The Lewis & Clark Exploratory Center of Virginia, Inc.; be extended to October 30, 2014.

BE IT FURTHER RESOLVED by the City Council of the City of Charlottesville that once the funds have been repaid to CEDA, \$130,000 will be returned to the City's Strategic Investment Fund.

- i. **RESOLUTION: City Manager's Contract**

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia that Section 6 ("Salary") of the City Manager's Employment Agreement between the City of Charlottesville and City Manager Maurice Jones, dated December 7, 2010, as amended, is hereby amended as follows:

- a) Increase the City Manager's annual base salary by two percent (2%), effective July 1, 2013; and
- b) Effective July 1, 2014, and on each July 1 thereafter during the term of the Employment Agreement, increase the annual base salary by the same percentage as the general salary or cost of living increase approved by City Council for all general full time City employees, as part of the City's annual operating budget.

- j. **RESOLUTION: C.A.T. Proposal to Submit Grant Application for F.Y. 2015 Funding**

BE IT RESOLVED by the Charlottesville City Council that the Transit Manager is authorized, for and on behalf of the City of Charlottesville, hereafter referred to as the, PUBLIC BODY, to

execute and file an application to the Department of Rail and Public Transportation, Commonwealth of Virginia, hereafter referred to as the, DEPARTMENT, for a grant of financial assistance in the amount of \$5,158,441 to defray the costs borne by the PUBLIC BODY for public transportation purposes and to accept from the DEPARTMENT grants in such amounts as may be awarded, and to authorize the Transit Manager to furnish to the DEPARTMENT such documents and other information as may be required for processing the grant request.

The Charlottesville City Council certifies that the funds shall be used in accordance with the requirements of Section 58.1-638.A.4 of the Code of Virginia, that the PUBLIC BODY will provide funds in the amount of \$2,698,465 which will be used to match the state funds in the ratio as required in such Act, that the records of receipts of expenditures of funds granted the PUBLIC BODY may be subject to audit by the DEPARTMENT and by the State Auditor of Public Accounts, and that funds granted to the PUBLIC BODY for defraying the expenses of the PUBLIC BODY shall be used only for such purposes as authorized in the Code of Virginia. The undersigned duly qualified and acting Clerk of Council of the PUBLIC BODY certifies that the foregoing is a true and correct copy of a Resolution, adopted at a legally convened meeting of the Charlottesville City Council held on the 7th day of April, 2014.

k. RESOLUTION: Fund Transfer from Capital Improvement Program Contingency - Improvements to Nelson/Northwood/2nd Street Intersection and McIntire Road - \$90,000

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the following is hereby transferred in the following manner:

Transfer From

\$90,000 Fund: 426 WBS: CP-080 G/L Account: 599999

Transfer To

\$90,000 Fund: 426 WBS: SS-010/P-00697 G/L Account: 599999

l. ORDINANCE: Minimum Attendance Requirements for CRHA (2nd reading)

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that Section 2-37 of Article II of Chapter 2 of the Code of the City of Charlottesville, 1990, as amended, is hereby amended and reordained, as follows:

**CHAPTER 2. ADMINISTRATION
ARTICLE II. CITY COUNCIL
Division 1. Generally**

Sec. 2-37. Designation and appointment of board of commissioners of city redevelopment and housing authority.

(a) Notwithstanding any provision of law to the contrary, the terms of all commissioners of the Charlottesville Redevelopment and Housing Authority shall terminate on July 31, 1999; and thereafter commissioners shall be appointed in accordance with the provisions of this section.

(b) Effective July 31, 1999 there shall be seven (7) commissioners of the Charlottesville Redevelopment and Housing Authority appointed by city council. The board of commissioners shall include:

(1) At least one (1) member of city council;

(2) At least two (2) current residents of public housing.

(3) The remaining members of the board of commissioners shall be appointed by city council from the public at-large.

(c) At their first meeting following the effective date of this section, the board of commissioners shall elect one of their members to serve as chair of the board.

(d) Any member of city council appointed to the board of commissioners shall serve a one (1) year term, and shall be eligible for reappointment for so long as such person is a member of city council. The remaining initial appointments to the board shall be equally divided, to the extent possible, between two (2) and three (3) year terms. After expiration of the initial terms all future appointments shall be for three (3) year terms, except for appointments of city council members. Eligibility for reappointment shall be governed by the provisions of City Code section 2-8.

(e) Commissioners of the Charlottesville Redevelopment and Housing Authority shall serve for their full term unless earlier terminated by city council or upon acceptance by city council of a commissioner's resignation. Commissioners may be removed by council for inefficiency, or neglect of duty, including failure to meet reasonable attendance requirements of the Charlottesville Redevelopment and Housing Authority, or for other misconduct in office. Notwithstanding the foregoing, a commissioner may be removed only after such commissioner is given a copy of the charges forming the basis of the removal and an opportunity to be heard in person or by representative prior to removal. At least ten (10) days in advance of the hearing before city council, a commissioner objecting to removal shall be given a copy of the charges which form the basis for the removal. In the event of removal of any commissioner, a record of the proceedings, together with the charges and findings thereon, shall be filed in the office of the clerk of council.

Mr. Huja requested item e regarding CDBG & HOME funds be pulled for further discussion.

Mr. Fenwick asked if we will broaden the ordinance regarding minimum attendance requirements to other boards and commissions. Mr. Huja said we will look at all boards in the future.

The consent agenda passed unanimously. (Ayes: Mr. Huja, Ms. Smith, Ms. Szakos, Ms. Galvin, Mr. Fenwick; Noes: None).

PUBLIC HEARING: CITY COUNCIL'S PROPOSED FY 2015 BUDGET

City Council's Proposed FY 2015 Budget

Ms. Beauregard overviewed the Council's amendments to the FY 2015 Proposed General Fund Budget, amendments to the FY 2015 transit fund budget, and amendments to the capital budget.

Ms. Smith asked for clarification on the Albemarle contribution for CATEC revenue decrease. Ms. Beauregard said she would look into this and report back to Council.

On motion, the public hearing was opened.

Mr. Michael Barnes, 1411 Lester Dr., said he is an urban local planner and is speaking in support of the Rivanna Trail Foundation (RTF). Council's support has been beneficial. However, there is a lack of CIP funding for the recently adopted Meadow Creek Valley Master Plan. He listed reasons Council should support funding for the park.

Ms. Kathy Johnson Harris, 902 Raymond Rd., said the City's teachers have not had a raise for five years. She said Council needs to support the teachers, support children learning, and help educators earn sustainable wages.

Ms. Rebecca Quinn, 104 4th St., said she understands the value of planning because she herself is a consultant, but after every plan she has worked on she came away believing local staff could have done the work. She said plans that she has done were not owned by the community because they were not fully engaged in the process.

Mr. Brandon Collins, 418 Fairway Ave., said he works for PHAR and asked Council to fund PHAR's internship program. He said residents have not been engaged about redevelopment and are hesitant to get involved in the process again, so engagement is critical at this time.

Mr. Andon Zeball, 2300 Fontaine Ave., started a new enterprise called New Forest Earth, making recycled, handmade crafts. The website is www.newforesteearth.org. He said the Community Investment Collaborative is one of the best things that has happened to him since he moved to Charlottesville. He said the Downtown Mall, the City Market, and the Free Trolley, which should be expanded, have all helped him along the way.

Mr. Peter Kleeman, 407 Hedge St., said the resolution of funds left over at the end of the budget and the formula that goes toward how those funds are used is unrelated to the needs that are expressed at the beginning of the budget year. He asked Council to review this issue.

Ms. Lena Seville said we should work on an assistance program for people who get their utilities cut off, especially in light of the increase in water bills due to the cost agreement. She said including funding for an urban designer and a small area plan is too much.

Ms. Jeannette Abi-Nader, 1648 Brandywine Dr., Exec. Dir. for City Schoolyard Garden, encouraged Council to support the schools and grant their full budget request.

Having no further speakers, the public hearing was closed.

PUBLIC HEARING / ORDINANCE: AMENDMENT TO CITY CODE - CIGARETTE TAX ORDINANCE CHANGE (carried)

Amendment to City Code - Cigarette Tax Ordinance Change

On motion, the public hearing was opened.

Ms. Carol Thorpe, Chair of Jefferson Area Tea Party, said smoking by minors is of general concern to most. However, she said taxation should be used to generate needed revenue, not as a tool for conducting behavior modification.

Mr. Scott Bandy, 1639 Cherry Ave., said the Chamber of Commerce should weigh in on this matter. Over-taxation is not healthy. He asked if the tax applies to all forms of tobacco.

Mr. Andon Zeball, 2300 Fontaine Ave., said taxation for behavior modification has a long, effective history and is a good idea.

Having no further speakers, the public hearing was closed.

Ms. Szakos said while this is a revenue generator, she specifically supports it because of its effect on smoking in general, especially youth smoking. She said each pack of cigarettes costs the public over \$10 in lost revenue and productivity, so a 20 cent increase is perfectly reasonable.

Ms. Smith asked if the tax will cover other tobacco products. Mr. Brown said it will only cover cigarettes. Ms. Smith said she would like to see the revenue dedicated to a health program. Mr. Brown said Council can only dedicate specific revenue one year at a time.

Mr. Brown clarified for Mr. Fenwick that Council does not have to renew the tax each year.

On motion by Ms. Szakos, seconded by Ms. Galvin, the ordinance carried.

REPORT: CAT (CHARLOTTESVILLE AREA TRANSIT) UPDATE

CAT Update

Mr. Jones presented to Council on the first three months of CAT's operation under the new routing system.

Mr. Huja asked Mr. Jones for a map of the routes for future presentations.

Mr. Jones said the first quarter is down, and this seems to be in line with what is occurring with public transit state-wide. He said a good deal of this was likely weather-related. Nelson-Nygaard warned of a downturn as high as 20%, but he was glad they did not see a number anywhere near that. Some of the downturn may have also been due to new efficiencies created in the system, requiring less transfers. The routes that were down were Route 7 (17%), Free Trolley (13%), Route 4 (10%), Route 5 (2%), Route 9 (45%), and Route 10 (27%). Route 9 needed further examination because it now serves an entirely different area. It does not go downtown, but it comes through Greenbrier. Route 11 has transported almost 15,000 people so far. Increases include Route 1 (3%), Route 3 (41%), Route 6 (40%), and Route 8 (3%), even with reduced service hours.

The new routes seem to be working well in general. A few stops have returned, such as the stop at Water Street and Third Street. Public sessions will be held late this month through early May to examine needs. Costs are only up 0.25%, and cost-per-passenger is relatively flat.

Mr. Huja said we have historically gone up in our ridership over the past five years, and he hopes this will continue as riders adjust to the new routes.

Mr. Fenwick asked why this trend exists statewide. Mr. Jones said most localities feel that this has been due to this year's extreme winter weather.

At the request of Ms. Szakos, Mr. Jones described his proposal for express service in light of the 29 Bypass congestion issues. He said it is a viable proposal that could be started in a short time and would be much cheaper than other solutions.

Ms. Galvin asked if Mr. Jones uses any rules of thumb to decide when it is time to change a route. Mr. Jones said he would like to give the new routes a few more months before evaluating possible changes.

Mr. Jones said the app for iPhone is available for free and can be downloaded on your smart phone. He said they are also close to making an award for a new fare collection system, which will include on-street kiosks. The system is targeted to go live in August.

In response to Ms. Smith's inquiry about new monies, Mr. Jones said CAT was given a mid-year allocation, which will continue through 2019 in a similar amount, around \$400,000. The intention was that the money would be used in addition to the current level of funding provided in order to enhance services. The state's reaction to cities reducing their funding was that cities may be required to match future allocations.

ORDINANCE/APPROPRIATION: TAX LEVY ORDINANCE (carried)

Tax Levy Ordinance

Mr. Huja asked for a motion on the tax levy ordinance.

Ms. Szakos said she will not make the motion because she does not think this budget supports what we want.

On motion by Mr. Huja, seconded by Ms. Galvin, the motion carried.

APPROPRIATION: F.Y. 2015 Budget Appropriation (carried)

Ms. Szakos moved to fully fund the schools. There was no second.

Ms. Smith moved to continue to fully fund public transportation. There was no second.

Ms. Smith said she would like to find funding for PHAR. Ms. Szakos said there seemed to be support for looking into that. Mr. Huja said he supports \$25,000 with the understanding that they will have an audit and report data. Mr. Jones said he met with PHAR, and they made commitments to improve on those points. Ms. Szakos and Ms. Galvin said they would rather wait for Mr. Jones's official recommendation at their next budget work session.

Ms. Galvin said she is comfortable with the budget as it stands, but we must research the recommendations of the Blue Ribbon Commission, especially ones that generate sustainable, ongoing funds. Next year we need to be prepared to have some serious revenue changes. She asked staff for a schedule as to how they intend to investigate their recommendations further and develop a community engagement plan to get the word out to the public. Mr. Jones said this will go hand in hand with our Strategic Plan discussion. In response to an inquiry from Ms. Szakos, Mr. Jones said we are currently at \$1.63 million with the schools.

Mr. Huja suggested cutting some money from Tonsler Park and allocating it to the Meadow Creek Valley Plan implementation. Ms. Smith and Ms. Galvin agreed that they would like to see funding for the park plan but would like more information from staff before making a decision.

Ms. Szakos asked Mr. Fenwick to share his budget recommendations in order to give staff time to incorporate them into the final budget. Mr. Fenwick said he does not have the figures and will share them at Thursday's work session.

On motion by Mr. Fenwick, seconded by Ms. Galvin, the motion carried.

RESOLUTION: COST ALLOCATION AGREEMENT FOR RIVANNA WATER AND SEWER AUTHORITY WASTEWATER PROJECTS

Cost Allocation Agreement for Rivanna Water and Sewer Authority Wastewater Projects

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that the Mayor is hereby authorized to sign the following document, in form approved by the City Attorney or his designee:

Cost Allocation Agreement among the City of Charlottesville, Albemarle County Service Authority, and Rivanna Water and Sewer Authority for certain wastewater projects.

Ms. Hildebrand presented to Council and reviewed the cost allocation agreement discussed at the March 17 Council meeting.

At Mr. Huja's request, Ms. Hildebrand read the proposed changes to section 9 of the agreement.

Ms. Galvin moved to approve the resolution authorizing the mayor to sign the agreement, with the recommended amendment to section 9. Ms. Szakos seconded the motion.

Ms. Smith asked what numbers are being used to determine who is responsible for replacement due to additional capacity. Ms. Hildebrand said if an upgrade or replacement is required prior to the end of its useful life, then the agency responsible for failing to curtail inflow and infiltration or unanticipated growth will pay for what they are responsible for.

Ms. Smith said Section 9 does not define how much is allocated to each entity.

Ms. Szakos asked Ms. Smith if she would support the agreement if section 9 were removed. Ms. Smith said she had motions to make further amending the agreement, aside from section 9.

Ms. Smith moved to amend the agreement stating it will not go into effect until a new metering event is completed. Mr. Fenwick seconded the motion. The motion was defeated. (Ayes: Ms. Smith, Mr. Fenwick; Noes: Ms. Szakos, Mr. Huja, Ms. Galvin.)

Ms. Smith moved that the agreement be applied only to the Rivanna pump Station. Mr. Fenwick seconded the motion. The motion was defeated. (Ayes: Ms. Smith, Mr. Fenwick; Noes: Ms. Szakos, Mr. Huja, Ms. Galvin.)

Ms. Smith moved that any excess charges that result from this agreement be paid from the stormwater fee. Mr. Fenwick seconded the motion. The motion was defeated. (Ayes: Ms. Smith, Mr. Fenwick; Noes: Ms. Szakos, Mr. Huja, Ms. Galvin.)

Ms. Smith moved that any excess charges that result from this agreement be paid from the PILOT revenue. Mr. Fenwick seconded the motion. Ms. Szakos said that she will vote against this, but we do have rate stabilization, so this is essentially already in place. The motion was defeated. (Ayes: Ms. Smith, Mr. Fenwick; Noes: Ms. Szakos, Mr. Huja, Ms. Galvin.)

Ms. Smith moved that the agreement be contingent on approval of improvements to the odor control program at the wastewater treatment plant to the 99% level. Mr. Fenwick seconded. Ms. Galvin said the Rivanna board has already made a commitment to odor mitigation without tying anything to this agreement. The motion was defeated. (Ayes: Ms. Smith, Mr. Fenwick; Noes: Ms. Szakos, Mr. Huja, Ms. Galvin.)

Ms. Smith moved that the agreement states that Rivanna will return water rights to the City for unallocated water remaining in the south fork reservoir. Mr. Fenwick seconded the motion. Ms. Galvin said this was a mediated negotiation that helps us save money and build partnerships with the County. The City gains a lot of positives from this agreement. The motion was defeated. (Ayes: Ms. Smith, Mr. Fenwick; Noes: Ms. Szakos, Mr. Huja, Ms. Galvin.)

Ms. Galvin called for a vote on the resolution, with the amended Section 9. The resolution passed. (Ayes: Mr. Huja, Ms. Szakos, Ms. Galvin; Noes: Ms. Smith, Mr. Fenwick.)

RESOLUTION: RSWA SUPPORT AGREEMENTS

RSWA Support Agreements

This **Amendment No. 3** to the **Local Government Support Agreement for Recycling Programs** (this "Amendment") is made this __ day of ____, 2014 by and among the **City of Charlottesville, Virginia** (the "City"), the **County of Albemarle, Virginia** (the "County") and the **Rivanna Solid Waste Authority** (the "Authority", individually a "Party", and together referred to as the "Parties").

WHEREAS, the City, the County and the Authority entered into a certain Local Government Support Agreement for Recycling Programs dated August 23, 2011 (the "Original Agreement") providing the terms of the City's and County's shared financial support and Authority's operation of the Recycling Services; and

WHEREAS, the Original Agreement provided that such financial support and operations continue through the Authority's fiscal year ending June 30, 2012, with the City and County retaining an exclusive option to extend the Original Agreement for two successive one-year periods by giving prior written notice to the Authority; and

WHEREAS, the City and County exercised their first option to extend the term of the Original Agreement through June 30, 2013, but the County elected not to exercise its second option to extend the term through June 30, 2014 and instead requested, with the concurrence of the City, an extension of the Original Agreement through December 31, 2013; and

WHEREAS, the City, the County and the Authority entered into Amendment No. 1 to the Original Agreement dated June 5, 2013 extending the term of the Original Agreement through December 31, 2013; and,

WHEREAS, the City, the County and the Authority entered into Amendment No. 2 to the Original Agreement dated October 23, 2013 extending the term of the Original Agreement through June 30, 2014 (the Original Agreement, as amended by Amendment No. 1 and Amendment No. 2, hereinafter, the "Agreement"); and,

WHEREAS, the County desires an additional extension of the term of the Agreement through June 30, 2015, and the City is agreeable to an extension for such period.

NOW, THEREFORE, the Parties agree to amend the Agreement as follows:

1. **Amendment to Section 4**, Section 4 of the Agreement, entitled "Tenn of Agreement," is amended and restated as follows:

4. Term of Agreement

This Agreement shall be effective upon execution and the financial participation requirements shall be retroactive to July 1, 2011 and shall continue through June 30, 2015.

2. **Miscellaneous**. Capitalized terms used herein shall have the meanings ascribed

to them in the Agreement unless otherwise specifically defined herein. Except as expressly modified hereby, all other terms and conditions of the Agreement shall remain unchanged and shall continue in full force and effect. This Amendment may be executed in two or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have executed this Amendment as of the dates below.

Ms. Mueller presented the resolution to Council. The City made an agreement with the County to keep the McIntire Recycling Center open for another year. They have been asked to extend the agreement for one more year.

Mr. Huja said he supports recycling and supports the extension because of the County's cooperation. Ms. Szakos said City residents do use this amenity, and she supported the extension as well. Ms. Smith said usage has gone down and will likely to continue declining in the future. However, she does support the extension.

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

OTHER BUSINESS: CDBG & HOME Funds for FY 2014-2015

Mr. Huja suggested changing the CDBG task force to add an allocation for entrepreneurs. He said the CIC is one of the best programs we have for entrepreneurs, and we should give them at least \$18,600, and take the money from the Office of Economic Development's small business development program.

Ms. McHugh said SAT made recommendations based off the SAT findings, and the emphasis was on supporting programs that supported existing businesses rather than entrepreneurs.

Ms. Galvin said the CIC received more funding from ABRT this year because Council directed them to move away from CDBG funding. Ms. Szakos said they currently have a large available cash balance.

Ms. Szakos said she is inclined to support the committee's recommendations, even though she fully supports the CIC. It has been six weeks since the public hearing, and this is too late to make a large shift.

Ms. Smith said we need more information about the sources of their funds.

On motion by Mr. Fenwick, seconded by Ms. Szakos, the appropriation carried without Mr. Huja's proposed change.

Ms. Galvin said she needs to probe this matter further before voicing an opinion.

OTHER BUSINESS: Sierra Club Letter

Ms. Galvin said the Sierra Club letter Mr. Cruickshank sent to Council on behalf of the Sierra Club asking Virginia Dominion Power to commit to renewable energy and energy efficiency and reduce carbon dioxide pollution needs to be discussed and better understood before Council agrees to sign on as a body.

Ms. Szakos said she believes it is acceptable for each Councilor to sign the letter as an individual, but signing it as a body would require a more extensive public process, and she does not feel comfortable moving forward.

OTHER BUSINESS: Rescue Vehicles at McIntire

Mr. Fenwick asked staff to talk to the bypass contractors about ensuring emergency vehicles are able to quickly and safely exit onto McIntire Road in the midst of construction. Ms. Szakos said the public needs to be aware of what to do when an emergency vehicle approaches. Mr. Fenwick said there is nowhere for vehicles to go. Mr. Jones said staff can work with the contractor to address this and other issues.

MATTERS BY THE PUBLIC

Mr. Louis Schultz, 1809 Market St., said this is the thirteenth time he has come before Council accusing staff of violating code. Council has not responded to his requests for an open investigation and hearing on Steephill Street.

Ms. Rebecca Quinn, 104 4th St., asked if anyone has noticed it looks like the mall is still covered with snow because of the salt solution used this winter. She asked if this might affect the bricks. This is a maintenance problem that has diminished the beauty of our mall. She asked if the plywood at the Landmark will be painted.

Ms. Lena Seville, 808 Altavista Ave., said Councilor Fenwick has inquired about her attempts to attend PLACE meetings. She said it is easier to get the public information distributed at these meetings, which is a great improvement. Public comment periods have been added to the meetings as well. However, meeting notices are still haphazard. Some are noticed; some are only posted on the calendar. She said steering committee members are not necessarily users for the projects they are working on, which is a problem. She thanked Council for appointing her to the Tree Commission and the CAT Advisory Panel.

Mr. Scott Bandy, Cherry Ave., said the term "fully funded" has been used a lot tonight. He said that term is unsettling to taxpayers. He said Councilors should use an adequate and appropriate approach instead.

COUNCIL RESPONSE

Ms. Galvin said Council directed staff to revise membership for the Belmont Bridge Steering Committee and asked Mr. Jones for an update on progress. Mr. Jones said Mr. Tolbert

has been reaching out to the neighborhoods to seek representatives for the committee. Ms. Galvin asked staff to make sure they are following up on this request. Ms. Galvin said NDS staff is responsible for getting meeting notices out and posting minutes on the website, not PLACE members. Mr. Jones said staff notices meetings they are aware of.

Ms. Smith asked if there is a limit to the number of subcommittees allowed on a board. Ms. Galvin said staff requested the subcommittees, and there should be communication if it is getting overwhelming.

Meeting adjourned.