

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, July 21, 2014, AT 4:30 p.m. IN THE Second Floor Conference Room.

THE PROPOSED AGENDA IS AS FOLLOWS:

Closed session as provided by Section 2.2-3712 of the Virginia Code

BY ORDER OF THE MAYOR

BY Paige Rice

SECOND FLOOR CONFERENCE ROOM – July 21, 2014

Council met in special session on this date with the following members present: Ms. Smith, Ms. Galvin, Mr. Huja, 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, consideration and interviews 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. Szakos, seconded by Ms. Smith, Council certified by the following vote (Ayes: Ms. Galvin, Mr. Fenwick, Ms. Smith, Ms. Szakos, Mr. Huja; 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 – July 21, 2014

CALL TO ORDER

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

AWARDS/RECOGNITIONS & ANNOUNCEMENTS

Mr. Huja welcomed the family of Jane Brown Foster, and Ms. Szakos read a proclamation in her honor. Mr. Huja presented the proclamation to her family.

Ms. Galvin announced Free Shakespeare in the Park, from July 26 - August 17. For more information, please go to www.thehamnertheatre.com.

Ms. Szakos announced the African American Festival will start on Wednesday, July 23 at Burley Middle School on Rose Hill Drive. Taste of Ghana is on Thursday, and Ladies Night at the Jefferson School AAC is on Friday. Call 654-7009 for free tickets to the Friday night event, or go to www.chiahambafashionshow.eventbrite.com.

Ms. Smith announced Meeting #3 for the West Main Street project at Carver Recreation Center on August 5 from 6:30 p.m. - 8:00 p.m. For more information, visit www.gowestmain.com.

Mr. Fenwick thanked the Parks and Recreation Department staff for the beautiful plantings all around the City.

MATTERS BY THE PUBLIC

Mr. John Cruickshank, 324 Parkway St., speaking as chair of the Piedmont Group of the Sierra Club, said 712 citizens have signed the Sierra Club petition to end the use of lawn and garden pesticides on all City-owned parks and properties.

Ms. Jackie Lombardo, 313 Parkway St., spoke about the importance of using safer methods other than pesticides to keep children and families healthy. She outlined options for alternatives.

Ms. Barbara Cruickshank, Parkway St., said toxins can be found in some of the pesticides used around the City and at schools. These are dangerous chemicals for the children and all residents. There are safe alternatives, and Council should work to end the use of chemicals and resort to a safer alternative.

Mr. John Heyden, Westwood Rd., said his suggestion that the City form a violent crimes task force was ignored. He said crime should be broken down by race. We have to advocate personal responsibility and family values. He said he is tired of footing the bill for social programs.

Mr. Russell Richards, 1003 Altavista Ave., an artist with the McGuffey Arts Center, proposed that the Landmark Hotel be turned into a vertical garden. He outlined his ideas about community participation and involvement with the schools. He said many similar projects and ideas are being implemented globally.

Mr. John Hossack, 617 Davis Ave., said VDOT is fast tracking 29 improvements. He said the Hydraulic and 29 intersection is a high priority. It does not make sense to widen 29 further out. No formal approval was given in the May 19 meeting, as recorded in the minutes.

Ms. Ida Lewis, 605 13th St NW, asked for bus service to return to Grady Ave. Elderly residents have to walk to 10th Street to catch the bus.

Mr. Jim Rounsevell, 1113 Monticello Rd., said he and many others have worked tirelessly on the Belmont Bridge to provide a better option for the City. He criticized the City's handling of the project and said the report on tonight's agenda is inaccurate. It has left a bad taste for citizen engagement.

Mr. Eric Woolley, 220 East High Street, said the underpass plan works, it meets design criteria, it meets minimum standards, and it can be built.

Mr. Louis Schultz, 1809 E. Market St., said this is the twentieth time he has come to Council accusing staff of violating City and state code and several civil rights statues regarding Steephill Street.

Ms. Nancy Carpenter, 727 Denali Way, said there is a lack of transparency on the CRHA's part during the opening of a waiting list for housing. She said she hopes there can be a meeting with the City Manager and the CRHA to try to fix this problem.

COUNCIL RESPONSE

Ms. Smith said the CAT Advisory Board meets tomorrow, and she will ask about Grady Ave. and get back to Ms. Lewis. She said Mr. Richards should also talk to Mr. Matt Slaats about his ideas for the Landmark, and she thinks his vertical garden idea is cool. She said it is important that the pesticides in schools and school yards and gardens be examined closely. She said the Parks and Recreation Advisory Board should receive a report on the methods currently in use and evaluate them.

Mr. Fenwick said the message about pesticide use is very important. He directed residents to go to the Sierra Club's website or visit www.beyondpesticides.org for more information. He said Mr. Richards is a great artist and has an imaginative solution. He said he looks forward to hearing more from Mr. Hossack as we go through the 29 interchange project in the next four years. He said public transportation managers should be sure they really know their customers and understand their needs. He thanked Mr. Rounsevell for his work on the underpass.

Ms. Galvin said she would like Mr. Jones to check the pesticide issue and determine how best to proceed. She is looking forward to ongoing conversations with the County about Route 29 and transportation. She asked Mr. Jones and Mayor Huja for insight on the CRHA waiting list issue Ms. Carpenter brought forward. Mr. Jones said it would be best to have the Housing Authority and their Executive Director look into this and provide a report back to the Council.

Ms. Szakos agreed that we should look at every possible way to make parks safe. She said vertical farms work best in places like Detroit, where there are many vacant buildings, but this is still an interesting idea to keep in front of us. The bus issue along Grady Ave. is an issue, and we will look into it. She said traffic modeling at the Rio intersection has been done and has gotten a lot more vetting than the Hydraulic intersection, but it will get the same treatment going forward.

Mr. Huja asked staff to look at the pesticide issue and figure out if we can use alternatives. He said he will talk to the Housing Authority director about the waiting list.

CONSENT AGENDA

- a. **Minutes for July 7**
- b. **APPROPRIATION: Appropriating Proceeds of Sale of Portion of 1279 Kenwood to the Parkland Acquisition Account - \$101,850 (2nd reading)**

[Proceeds of Sale of Portion of 1279 Kenwood to the Parkland Acquisition Account](#)

- c. **APPROPRIATION: State Assistance for Spay and Neuter Program at S.P.C.A. - \$994.63 (2nd reading)**

[State Assistance for Spay and Neuter Program at S.P.C.A.](#)

- d. **APPROPRIATION: Chesapeake Bay Trust Green Streets, Green Jobs, Green Towns Grant - \$182,035 (2nd reading)**

[Chesapeake Bay Trust Green Streets, Green Jobs, Green Towns Grant](#)

- e. **APPROPRIATION: Bama Works Grant - \$5,000 (2nd reading)**

[Bama Works Grant - \\$5,000](#)

- f. **APPROPRIATION: Reimbursed Expenses for Fontaine Fire Station - \$52,500 (2nd reading)**

[Reimbursed Expenses for Fontaine Fire Station - \\$52,500](#)

- g. **APPROPRIATION: Appropriation of Insurance Recovery Reimbursement - Environmental Division's Nissan Leaf - \$2,095.75 (carried)**

[Appropriation of Insurance Recovery Reimbursement - Environmental Division's Nissan Leaf](#)

- h. **APPROPRIATION: Department of Behavioral Health and Developmental Services, Thomas Jefferson Area Crisis Intervention Team Mentorship Program - \$90,000 (carried)**

[Department of Behavioral Health and Developmental Services, Thomas Jefferson Area Crisis Intervention Team Mentorship Program](#)

- i. **APPROPRIATION: Virginia Commission of the Arts Challenge Grant - \$5,000 (carried)**

[Virginia Commission of the Arts Challenge Grant](#)

- j. **RESOLUTION: Initiate Study of Zoning Ordinance Provisions for Short Term Rentals**

[Initiate Study of Zoning Ordinance Provisions for Short Term Rentals](#)

- k. **ORDINANCE: Lumos Networks Telecommunications Franchise Renewal (2nd reading)**

[Lumos Networks Telecommunications Franchise Renewal](#)

Ms. Smith said regarding letter k on the consent agenda, it is important for the Planning Commission to review a list of the short term rentals and whatever data we have from our own homestay permits, as well as our tax revenues. She said she believes Stay Charlottesville would be willing to cooperate. She asked how many residences are being used exclusively as short term rentals.

Ms. Smith said the franchise easement agreement with Lumos is another example of how our street trees are at the bottom of the totem pole with rights of way. Our City Manager needs ammunition to protect our trees.

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

RESOLUTION: BELMONT BRIDGE

[Belmont Bridge](#)

Mr. Huja gave a brief overview of the Belmont Bridge project history and said tonight is the night for City Council to make a decision. Mr. Tolbert presented to Council and reviewed the three bridge options and the underpass option.

Ms. Galvin asked if the bow bridge footprint aligns the same way. Mr. Tolbert said it is within the same footprint as the replacement bridge. In response to an inquiry from Ms. Smith, he confirmed that the slopes are the same with all three bridges.

Mr. Fenwick said businesses around the project are going to be effected, and cut-through traffic will be an issue as well. Businesses can expect a 30% decrease in revenue during this project, and that means a tax revenue decrease for the City as well. Ms. Szakos said they will ultimately benefit from the finished project, but the interim period may be painful. She asked if there is a difference in construction time between the models. Mr. Tolbert said two of the options can be built with no closure but would take a little longer overall for construction.

Ms. Smith asked if VDOT provided an independent analysis of the integrity of the pier structures underneath the bridge. Mr. Tolbert said we can ask about getting someone else to examine this. VDOT relies on the City to perform bridge inspections or contract for them for their review. Ms. Smith asked for clarification on the proposed retaining wall.

Ms. Galvin asked for clarification on 15% drawings versus 35% drawings. Mr. Tolbert said the 35% drawings were completed when staff was moving forward on a bridge replacement.

Mr. Fenwick asked Mr. Cook asked if he can understand why inspecting the bridge and then designing it would be suspect. Mr. Cook said he does; however, MMM does not usually design bridges.

Mr. Huja said Council needs to decide whether they want an underpass or a bridge.

Ms. Smith said she loved the idea of the underpass at first, but she has a lot of concerns about the depth, slope, and pedestrian access, as well as sound mitigation from the Pavilion. She said she does not want to spend an excessive amount of tax payer dollars on something that we do not really need. We can implement some of the great ideas that have come out of the community and invest money in the landscape around the Garrett Street and 6th Street areas.

Ms. Szakos said she supports the bridge option because the underpass puts travelers under the landscape with tall walls and does not feel welcoming. We have a lot of competing infrastructure needs throughout the City. We need to spend the money we have to make things work, but we should not be excessive about it.

Ms. Galvin said function, form, integrity, authenticity, finish, constructability, and costs are the important considerations. The underpass option does not pass on many of these points. She said she supports a bridge, but the bridge design is still highly problematic.

Mr. Fenwick thanked Mr. Rounsevell for his work on the underpass and pedestrian bridge. He said he supports the bridge option based on his desire to work towards a consensus and after talking with neighborhood residents. He outlined his concerns about the underpass option.

Mr. Huja said we are fortunate to have had choices with this decision. He overviewed the problems with an underpass and said he supports the bridge option. He said it must be beautiful.

Ms. Smith put forth a resolution for an enhanced bridge.

Be It Resolved by the Charlottesville City Council that staff be directed to proceed with the completion of all construction documents for an enhanced bridge.

Be it further resolved that the City Engineer work with VDOT to get an independent structural analysis for the feasibility of reusing all or part of the current pier support infrastructure to assess the potential for savings to City taxpayers.

Be it further resolved that MMM be directed to hire additional design consultants subject to approval by City Council, to include a landscape architect, to incorporate the community input in a design for a multi-modal, memorable bridge; and

Be it further resolved to convene the steering committee to help refine the design; and

Be it further resolved that the staff be directed to put together a funding plan for closing the gap with VDOT funding, subject to approval by City Council.

Ms. Szakos asked what a reassessment of the piers would set us back in dollars and time. Mr. Tolbert said that depends on whether or not VDOT can do the inspection. Ms. Smith said she would limit her part of that resolution and make it contingent on whether VDOT will perform the inspection.

Ms. Szakos said she is comfortable with asking for more design expertise on the MMM team.

Ms. Galvin said we need a new design engineering team with a clear set of operating procedures. She said the enhanced bridge is not a fully integrated design. She said it has not been fully integrated from the beginning because design came after the structure. The structure is inherently where the beauty comes from. She is concerned by the amount of additional oversight that would be needed to ensure the existing structural engineering group would provide the outcome we wanted. She said she would put a cap of \$18 million on the last point of her proposed resolution, which was included in the Council materials.

Ms. Szakos said this resolution would set us back several months before starting. She would be concerned about losing state funding during that process.

Ms. Galvin said having a process that is very clear from the beginning can facilitate a smoother project. We need a team that will engender more confidence from the community.

Ms. Smith said she is not comfortable putting forward that amount of money. She would like to look for ways to save money on the bridge so we can put funds towards enhancing pedestrian access throughout that area.

Ms. Szakos put forward a motion for the enhanced bridge.

Be It Resolved by the Charlottesville City Council that staff be directed to proceed with the completion of all construction documents for the enhanced bridge; and

Be It Further Resolved that staff be directed to put a funding plan in place for closing the gap with VDOT funding and bring it to Council; and

Be It Further Resolved that staff request VDOT conduct an assessment of existing documents to evaluate the possibility of reuse of existing infrastructure on the bridge; and

Be It Further Resolved that we instruct MMM Design Group to expand their team to include an urban design team or firm and a community engagement team member, to be brought back for Council approval.

Ms. Smith offered a friendly amendment requesting that VDOT do a visual inspection if possible. Ms. Szakos accepted the amendment; Ms. Smith seconded the motion.

Ms. Galvin said she cannot vote for this because it is doing the same thing and expecting different results. She said she hopes this project can be a learning moment and can avoid frustration and confusion in the future.

The motion passed as amended. (Ayes: Mr. Huja, Ms. Smith, Ms. Szakos, Mr. Fenwick; Noes: Ms. Galvin).

REPORT: CATEC STRATEGIC PLANNING UPDATE

[CATEC Strategic Planning Update](#) / [CATEC Report](#)

Mr. Adam Hastings presented to Council on behalf of the School Board and CATEC.

Ms. Galvin asked about overlap with the Virginia Plugged In program. Mr. Hastings said CATEC and PVCC have been working to find a way to become more linear and stop duplication of services. Ms. Galvin said she hopes the adult education piece becomes more robust. She asked if this has been thought of as a magnet school model. Mr. Hastings said it has, but while we have supportive partners, we do not have as many people offering millions of dollars to CATEC as do organizations in cities with larger companies.

Ms. Szakos said she was struck by the statement from Mr. Hastings' report that manufacturer workers are now knowledge workers. She appreciated the fact that this is the thinking with CATEC, not as an alternative to academic work, but as a different kind of academic work.

Mr. Huja asked if they can operate within the existing infrastructure for the next five years. Mr. Hastings said not if they do not make any changes.

Mr. Fenwick asked if CATEC is getting away from the blue collar portion of their education. Mr. Hastings said many blue collar jobs are now using technology and are not the same as they were in the past.

RESOLUTION: CITY OF PROMISE FACILITY PROGRAM NEEDS - \$50,000

[City of Promise Facility Program Needs](#)

Ms. McHugh presented to Council about the City of Promise project at 210 8th Street, including a proposal to occupy the adjacent property at 708 Page Street.

Mr. Huja asked for a total cost of 210 8th Street and a total cost for Page Street. Ms. McHugh said total cost to date is at \$407,073. The total final cost would depend on how much it costs to terminate the contract with R.E. Lee & Son. Mr. Huja asked if it would be \$259,000 for 708 Page Street. Ms. McHugh said that was the purchase price.

Ms. Smith asked how much longer the City of Promise would be able to operate if it does not receive future funding. Mr. Davenport said they do not anticipate they would ever be totally without funding.

Mr. Huja said he supports using this space for City of Promise for at least five years. Ms. Smith said we are paying for a property that floods. Ms. Szakos said it has been deemed buildable with the proper treatment. Mr. Tolbert said we are working to cut our losses on 8th Street and allow for the possibility of redevelopment.

In response to an inquiry from Mr. Fenwick, Ms. McHugh said it would cost around \$80,000 to conduct a local move of the house.

Ms. Smith said she does not believe either of the lots are appropriate to build on because of the water, and she cannot support this.

Ms. McHugh said engineers confirmed that the floor elevation was a full 12 inches above the flood elevation.

On motion by Mr. Huja, seconded by Ms. Szakos, Council voted to proceed with using the Page Street house for the City of Promise house and terminate the existing contract. (Ayes: Mr. Huja, Ms. Szakos, Ms. Galvin, Mr. Fenwick; Noes: Ms. Smith.)

REPORT: HUMAN RIGHTS COMMISSION UPDATE

[Human Rights Commission Update](#)

Ms. Tewksbury presented to Council. Ms. Mills, Chair of the Commission, and Ms. Charlene Green from the Office of Human Rights were also present.

Ms. Szakos said the full annual report is coming in January and asked Ms. Tewksbury to give highlights.

Ms. Galvin asked for data about where people live, not just where they work. Ms. Tewksbury said she does have that information.

Mr. Huja asked how many of the complaints were from City residents. Ms. Tewksbury said this information will be provided in the annual report.

Ms. Smith asked if people can go directly to the EEOC without going through the Office of Human Rights. Ms. Tewksbury said they can, but she hopes they will go through her so that she can compile data.

Mr. Fenwick asked if there has been an impact on the schools and businesses. Ms. Tewksbury said she has been working on engaging with schools and businesses and wants to provide technical support in the future.

Ms. Smith asked how the Human Rights Commission deals with the recent stop and frisk data, for example. Ms. Tewksbury said the Commission would have to make a decision on whether or not to be involved and in what capacity. Ms. Smith said she is concerned that there is an ability to pick and choose. They should be the accountability arm for violations of human rights. Ms. Tewksbury said group liaisons are in play right now. Ms. Smith said she is concerned that the non-legal part of the Commission's work is looking a lot like the Dialogue on Race.

Ms. Aidyn Mills, Chair of the Human Rights Commission, said the Commissioners are eager to address systemic issues. However, much of their work to date has been to understand the nature of their charge and the dynamics already at play. Ms. Smith urged the Commission to understand that this is not all about getting along with everyone, because it is difficult to partner with the very groups you are supposed to be examining.

Ms. Galvin said she appreciates the strong effort of the Commission to get to know the problems and the players. Prudence and patience is important, and if we are going to change hearts and minds, it has to be relationship-based.

MATTERS BY THE PUBLIC

Ms. Amy Gardner, 753 Belmont Ave., asked why the bridge design Mr. O'Shea and Mr. Rounsevell presented in 2013 has disappeared. She said we are letting their talent go to waste. She is disappointed that a company who has given so little has been rewarded with another contract.

Mr. Jon Bright, 109 Altamont Cir., President of NDRA, said he hopes the neighborhoods will remain involved in the design. He thanked Parks and Recreation for the upgraded playground equipment at McGuffey Park.

Ms. Rebecca Quinn, 104 4th St., said she is puzzled about the Page Street acquisition. It was approved quickly because it was an urgent drainage situation, and now the drainage problem cannot be fixed. However, the City is now purchasing the property.

Mr. Mark Kavit, 400 Altamont St., said a vote should not be held on the same night that public hearings are held. He said he appreciated that the Belmont Bridge took place in that manner. He said he is an organic gardener and is concerned that the ultimate goal is to eliminate pesticides completely, when they simply need to be used wisely.

COUNCIL RESPONSE

Ms. Szakos said it would be appropriate to apply for Tiger funding on the pedestrian bridge. She said the reason we did the Page Street sale is because the original problem with the drainage is a problem the City caused.

Ms. Galvin asked the Belmont Bridge Steering Committee to work with staff and assert independence in coming up with a process that will lead to an excellent selection. There needs to be a building of trust and confidence in this process going forward; this cannot be left up in the air.

Ms. Smith asked to see the designs Siteworks provided for the bridge.

Meeting adjourned.