

**CITY COUNCIL MEETING
COUNCIL CHAMBERS - JULY 20, 2015**

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 City is partnering with two local events (The African-American Cultural Arts Festival on July 25th, and Westhaven Community Day on August 1st) by hosting at each event a booth to promote the “Streets That Work” project, a comprehensive street design guide to improve the transportation network for pedestrians, bicyclists, automobiles and transit users. She said the public would have an opportunity to create a temporary street mural at 8th Street and Hardy Drive at the Westhaven event.

Ms. Szakos congratulated the 7 graduates of the GoElectric training program, who have all been hired by Design Electric. She encouraged people to attend the African-American Cultural Arts Festival from July 23-26, featuring food, dance, a fashion show and health fair. She announced that Mr. Levar Stoney, Secretary of the Commonwealth, will speak on issues related to Ban the Box and Restoration of Voting Rights for former felons in Council Chambers on August 3, 2015 at 5:30 p.m.

Ms. Smith reminded everyone that there will be no Council meeting on August 3, 2015 in accordance with the meeting schedule approved by Council in January. She announced that Parks & Recreation Scholarships for discounted fees at pools, recreation centers and programs are available to eligible residents by application. Ms. Smith said there will be the annual Back to School Bash on August 15th from 1:00 – 3:00 p.m. in the nTelos Pavilion.

Mr. Fenwick announced that Smith Pool was closed for repairs on July 13 and will not re-open until August 29. He said Crow Pool has a modified schedule for lap swimming and water aerobics during the Smith Pool closure.

MATTERS BY THE PUBLIC

Joanie Freeman, 480 Rio Road East. Ms. Freeman spoke on a Transition Charlottesville-Albemarle initiative. The group’s goal is to bring the community together on issues like climate change, pollution, and economic instability. Charlottesville is a pilot program (one of 12 in the country) under an international program called Transition Streets. This initiative brings neighbors together, helps every household reduce utility bills and waste, and promotes community building. They are working with the Sustainability Office to get a \$5 million grant. The group plans to come back and ask Council to pass a resolution of support.

Julia Wiseman, 1208 E. Jefferson Street. Transition Streets pilot group was composed of 7 households. They developed action lists (group purchases to save money), shared tools, shared

food and ideas. Neighbors got together for potlucks, gardening, so it made the neighborhood stronger and connected people. The program supports the goal of being a very environmentally friendly city.

Rochelle Clark Alexander, 800 Preston Avenue. Ms. Clark-Alexander spoke about the program of Veteran Peer Assistance through the Virginia Wounded Warrior Project. She is here to support veterans and their families. She asked people to contact Virginia Veterans and Family Support at (434) 962-0175 for more information.

Jean Maushammer, 200 Garrett Street. Ms. Maushammer opposes the 201 Garrett Street project. She believes it doesn't meet code for enough parking spaces. She doubts Mr. Kuttner can provide housing for less than \$1,000/month, and doesn't object to micro-units but objects to the number of units he proposes. The area already has Market Plaza, and housing approved at 1st and Garrett Street, so this would be the third one in a small area. Ms. Maushammer said she has doubts about Mr. Kuttner's ability to finish projects in a timely manner, and asked Council to defer or deny the request for this project.

Bob Maushammer, 200 Garrett Street. He and neighbors have serious reservations about the proposal on Garrett Street. The staff report is accurate, except the Planning Commission found the plan was vague and internally inconsistent. He said the plan doesn't have enough parking spaces required by Code, doesn't address affordable housing requirements, has insufficient vehicular exits and entrances, and there are too many dwelling units being proposed.

Morgan Butler, 201 West Main Street (Southern Environmental Law Center). SELC generally supports more housing options, but this project isn't compatible with surrounding neighborhood. The building heights are excessive and would overwhelm nearby buildings. It hasn't been updated to be consistent with Strategic Investment Area plan. The Planning Commission showed willingness to work with the applicant but Mr. Kuttner chose to go to Council without changes. Mr. Butler said the SELC agrees with the Planning Commission recommendation that the special use permit request for 210 Garrett Street should be denied.

Julia Bray, 708 St. Charles Avenue. Ms. Bray opposes the hotel at the William Taylor Plaza project on Cherry Avenue and Ridge Street. She said the profits from this hotel will not remain in the community. Ms. Bray spoke on the importance of Council listening to the residents and approving sustainable, community-driven projects.

Lena Seville, 808 Altavista Street. Ms. Seville said the Garrett Street project is interesting and creative, and its small square footage apartments help the environment. The limited parking encourages biking, pedestrian, using transit, and people can use Zip Cars. She compared the Garrett Street project to the William Taylor Plaza project, which she says is not pedestrian friendly. She said it will be a non-local business whose money will go out of town. The original plan was better with small scale commercial, retail and residential.

Antoinette Roades, 406 Oak Street. Ms. Roades said the developer did not make every effort to find graves at the Cherry/Ridge site. Ms. Roades gave the history of development of that area,

and said Council should demand an archaeological survey for cemetery remains before any development takes place, despite the developer's resistance to do so.

Mary Carey, 100 Ridge Street (Midway Manor). Ms. Carey complained that someone had a block party on South Street on July 18 which she said was hazardous because emergency vehicles didn't have easy access, and residents couldn't get out without moving barriers. She thought you couldn't have block parties on through streets. Ms. Carey also opposes the William Taylor Plaza project. She said she preferred that houses or a grocery store be on that site, something residents could use. Ms. Carey said there are too many hotels in this area, and it is not appropriate for a residential, historic district.

Walt Heinecke, 1521 Amherst Street. Mr. Heinecke said he is opposed to the William Taylor Plaza project. He believes there have been lapses in democracy and citizen engagement. He said too much money was spent on elections and wants Council members to disclose how much money their campaigns have received from Southern Development or its political action committee (Monticello Business Alliance). Mr. Heinecke said there are problems with lack of public notice about meetings related to the project. He wondered if the sale of this property had a public hearing.

Louis Schultz, 1804 E Market St. Mr. Schultz spoke (for the 42nd time) on alleged evidence of wrongdoing by unlawfully taking his property on Steephill Street. He said Council violated the City Code and Virginia's open meeting law by cancelling a meeting in the summer.

COUNCIL RESPONSE TO MATTERS BY THE PUBLIC

Mr. Fenwick thanked several speakers (Joanie Freeman and Julia Bray, Michelle Alexander) for their comments. He commented on the strong feelings from the public about the William Taylor Plaza. He thanked Mary Carey for her comments.

Ms. Smith said she loved the Transition Streets project. She said they will talk about development projects later in the meeting. She said she did not take any money from the Monticello Business Alliance. Ms. Smith said UVA has Zip Cars and it is an idea worth looking into. She commented on Ms. Carey's complaint, and Mr. Jones said he will look into the block party problem.

Ms. Szakos supported staff getting information on the block party and the City policy, including notice to the neighbors. Ms. Szakos said she didn't accept money from Southern Development or any political action committees. The City Democratic Party switched from convention to primary, which she thinks is more democratic. However, it takes more money to fund a campaign to reach 20,000 people.

Ms. Galvin supports getting more information on the South Street party. She said it is troubling that when there's a difference of opinion about policy or strategy, that individuals in groups attempt to do character assassination (such as Council members being bought and sold). She objects to misinformation about William Taylor Plaza. She has felt she has been maligned because she understands the importance of managing growth well. She has received a small

amount of money (less than 2% of what she raised) from the Monticello Business Alliance (who supports the free enterprise system and businesses) but it is all fully disclosed.

Mr. Huja complimented Ms. Freeman and Ms. Wiseman for their work on the Transition Streets program.

Mr. Jones said his comments at the last meeting on notice to the public was about the Town Hall meeting on July 9; it was not about William Taylor Plaza. He also responded to Mr. Heinecke that there was a public hearing on the sale of the Cherry-Ridge property.

CONSENT AGENDA

The consent agenda was read. Ms. Smith had a question about item (h) – Extension of the Local Government Support Agreement on Recycling. She asked about the cost to the City for the Recycling Center. Mr. Jones said he thought it was about \$62,000 per year. Ms. Smith asked how many times the recycling center agreement has been renewed. Ms. Szakos said Albemarle County has submitted its final report so the process is coming to closure.

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

a. Minutes for July 6

b. APPROPRIATION: Funding for Thomas Jefferson Area Crisis Intervention Team Coordinator – \$53,700 (2nd reading)

WHEREAS, the City of Charlottesville, through the Thomas Jefferson Crisis Intervention Team and the Charlottesville Police Department, has received from Region Ten Community Developmental Services, funding to support a M.O.U. for mentorship of Crisis Intervention Team programs.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$53,700 per fiscal year received from the Region Ten Community Services Board is hereby appropriated in the following manner:

Revenue

\$ 53,700 Fund: 209 CC: 3101003000 G/L: 430080 State Assistance

Expenditure

\$ 53,700 Fund: 209 CC: 3101003000 G/L: 519999 Salaries

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$53,700 per fiscal year from the Region Ten Community Services Board.

c. APPROPRIATION: Funding Restoration of Saturday Operating Hours at Smith Aquatic Center – \$3,098 (2nd reading)

WHEREAS, City Council, at its meeting of June 15, 2015 voted to restore funding in the FY16 budget to support opening Smith AFC at 5:30 AM on Saturdays; and to fund the restoration from the Council Priorities Fund

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

Expenditures – Transfer From

\$3,098 Fund: 105 Cost Center: 1011001000 G/L Account: 599999

Expenditures – Transfer To

\$3,098 Fund: 105 Cost Center: 3631003000 G/L Account: 510030

d. APPROPRIATION: Additional Funding for Department of Social Services Benefits Programs – \$16,075 (2nd reading)

WHEREAS, The Charlottesville Department of Social Services has received Federal and State funding in the amount of \$16,075 to be used for benefits programs staffing and operations.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$16,075 is hereby appropriated in the following manner:

Revenue – \$16,075

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

Expenditures - \$16,075

Fund: 212 Cost Center: 3301005000 G/L Account: 510060 \$13,075

Fund: 212 Cost Center: 3301005000 G/L Account: 520900 \$ 3,000

e. APPROPRIATION: Funding for Medicaid/FAMIS Renewal Application Processing – \$10,045 (2nd reading)

WHEREAS, The Charlottesville Department of Social Services has received funding in the amount of \$10,045 to be used for processing Medicaid and F.A.M.I.S. (Family Access to Medical Insurance Security) renewal applications.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$10,045 is hereby appropriated in the following manner:

Revenue – \$10,045

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

Expenditures - \$10,045

Fund: 212 Cost Center: 3301005000 G/L Account: 510060

f. APPROPRIATIONS: Homelessness Solutions Grant - \$459,941 and Housing Opportunities for Persons with AIDS Grant - \$190,612 (carried)

g. APPROPRIATION: Check and Connect Student Engagement Grant - \$147,000 (carried)

h. RESOLUTION: Amendment to Local Government Support Agreement for Recycling Programs (1 reading)

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

Amendment #4 to Local Government Support Agreement for Recycling Programs between the County of Albemarle, Rivanna Solid Waste Authority, and the City of Charlottesville, extending the expiration date of the Agreement from June 30, 2015 to June 30, 2016.

i. ORDINANCE: Lochlyn Hill PUD Amendment (2nd reading)

ORDINANCE REZONING PROPERTY TO AMEND THE LOCHLYN HILL PUD (“AMENDED LOCHLYN HILL PUD”)

j. ORDINANCE: Amend City Code Relating to the Enforcement of Trespass Violations (2nd reading)

AN ORDINANCE AMENDING AND RE-ORDAINING SECTION 20-11, ARTICLE I, CHAPTER 20 OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED RELATING TO THE DESIGNATION OF POLICE TO ENFORCE TRESPASS VIOLATIONS

k. ORDINANCE: Amendments to Floodplain Management Regulations (2nd reading)

ORDINANCE REPEALING THE EXISTING PROVISIONS OF CHARLOTTESVILLE CITY CODE CHAPTER 34, ARTICLE II, DIVISION 1 (FLOOD HAZARD PROTECTION OVERLAY DISTRICT) AND ADOPTING, ENACTING AND RE-ORDAINING SUCH DIVISION

l. ORDINANCE: Tree Designation – 1604 E. Market St. (2nd reading)

ORDINANCE DESIGNATING A CERTAIN TREE AS A PROTECTED TREE UNDER THE CITY’S TREE CONSERVATION ORDINANCE

m. ORDINANCE: Lowering Speed Limit on Emmet Street from Ivy Road to Arlington Boulevard (carried)

n. ORDINANCE: Route 250 Bypass Speed Limit Adjustment (carried)

o. ORDINANCE: Quitclaim Gas Easement to VDOT in Boulders Road (carried)

p. **ORDINANCE: Quitclaim Gas Easement to VDOT in Briarwood Drive (carried)**

q. **ORDINANCE: Amendment to Inoperable Motor Vehicles Ordinance (carried)**

PUBLIC HEARING/ORDINANCE: ABANDONMENT OF GAS EASEMENT AT 10TH STREET, NE AND WATER STREET EXTENDED (carried)

Ms. Lauren Hildebrand presented on the proposed abandonment of a portion of a gas easement at 10th Street, NE and Water St Extended. The owner of the property at 10th Street and Water Street has requested the abandonment of a portion of a natural gas easement granted to the City in 1991 because their building encroaches into the easement, causing a title problem. There is no existing gas line installed in this location, and Public Utilities has no objection to releasing the easement. Ms. Smith asked if we paid for the easement in 1991, and Ms. Hildebrand responded that we didn't. On motion, the public hearing was opened. There were no speakers. On motion by Ms. Smith, seconded by Mr. Fenwick, the ordinance was carried over for second reading.

ORDINANCE: WILLIAM TAYLOR PLAZA PUD AMENDMENT (2nd reading)

Mr. Matt Alfele, NDS planner, reviewed the reasons that Council deferred this item at its July 6th meeting, and presented the new changes to the proposed Amendment to the Development Plan for the William Taylor Plaza project. He said the amendment increased the minimum residential requirement to 10 units, with different types of housing units, and confirmed that a minimum of 20% of the development must be commercial, with the total development being up to 100,000 square feet. The Use Matrix is meant to guide development not specifically addressed in the development plan.

Ms. Smith inquired about whether the required residential units were in one phase or the other. Mr. Alfele responded that the 2009 plan was not phased, but left this to the discretion of the developer. The proposed amended plan does use phases, and the residential units could be in both phases. In the Development Plan, there is the option for 40 residential units in the Cherry Avenue phase, and the Ridge Street phase would require at least 10 units of residential housing.

Mr. Fenwick asked if there was any time restriction on the phasing. Mr. Alfele responded that there is no specified time in the plan. Mr. Fenwick asked how long a PUD lasts. Mr. Alfele stated that the development plan runs with the land, but there is no specific time period for completing it, unless another rezoning is approved.

Ms. Smith reiterated her concern with the phasing of the project, and how it might contribute to the residential portion never being built. Mr. Alfele said the PUD plan runs with the land so any new owner of the property would have to build in accordance with the approved plan. In response to a question by Ms. Smith, Mr. Brown said the approved Development Plan and any attached proffers form the zoning of the property, would remain in place until changed by ordinance. He said the new Development Plan before Council tonight is dated subsequent to the date of the first reading of the ordinance.

Ms. Smith stated that neither the Planning Commission nor Council saw these amendments when the PUD amendment was considered by the Planning Commission or by Council on first reading of the ordinance, and questioned the implications of this. Mr. Brown responded that a motion to amend the development plan (as originally submitted on first reading) would be necessary to approve this new amended development plan. He said having another first reading on the ordinance is not necessary. He said staff may want to review with Council the changes between each version of the development plan.

Ms. Szakos commented that it was her understanding that as long as a new plan is not less restrictive than the original plan, then the ordinance doesn't need to go back to the Planning Commission. Ms. Galvin asked for confirmation from Mr. Brown about whether this is required to go back to the Planning Commission. Mr. Brown responded if there is a change that results in more intensive development, you would have to go back to the Planning Commission. But if you look at a plan that has substantially changed and you think it would benefit from another review by the Planning Commission, you have the right to do so but are not required to send it back to the Planning Commission.

Ms. Smith asked what kind of information came to the Planning Commission at the last minute. Mr. Alfele said it was parking calculations and runoff calculations.

Mr. Alfele was asked to review the six changes from the original development plan, page by page to determine if the changes were substantial or not. He listed the changes in order by page. There was discussion on exactly which pages and features of the plan were reviewed by the Planning Commission.

Ms. Smith inquired about vehicular entry and exit to the project, shared parking and/or underground parking. Mr. Armstrong said the Traffic Engineer could make changes to traffic design, and there could be both shared parking spots and underground parking. Mr. Alfele confirmed that parking cannot be visible from Ridge Street or Cherry Avenue. Ms. Galvin said the BAR would have to review the methods of shielding parking from view.

Mr. Alfele reported on what will be built in each phase (whether commercial or residential). He confirmed for Ms. Smith that the Cherry Avenue development is part of Phase 1, and that the open space and entry/exits will be built in Phase I. The Use Matrix was added to the Development Plan instead of just in the proffer statement. He stated that music halls were removed from both phases as by-right uses and larger size health clinics were restricted to Phase 1 (Cherry Ave).

Ms. Smith asked about outside lighting, and Ms. Galvin commented, and Mr. Alfele confirmed, that the lighting ordinance says lighting has to be zero at the lot line.

Ms. Szakos commented that the Transition Streets philosophy would be helpful in this matter, and that public scrutiny is an important and healthy process for the neighborhood and the Council.

Ms. Galvin stated that phasing and selling of property subsequent to a rezoning is legal and good planning practice. She stated that the Planning Commission is an advisory group, but would like the staff memos in the future to contain more information on the reasons the Planning Commission recommend approval or denial. Ms. Galvin commented on the value of using the Strategic Investment Area guidelines, and the role of the Board of Architectural Review. She stated the William Taylor Plaza Development Plan was approved in 2009 with proffers that will allow improvements to the Ridge Street area. She stressed that a neighborhood association cannot change the zoning on a privately owned property; there are legal processes (comprehensive rezoning, or by the Small Area Plan) to change zoning. Ms. Galvin recommended making Cherry Avenue the next Small Area Plan and be an overlay zoning district. She commented on the value of development in the Cherry Avenue area, including a moderately priced hotel that will provide jobs for neighborhood residents.

Mr. Fenwick stated his opposition to the project, citing the BAR recommendation for denial, the Planning Commission recommending denial, and the petition signed by 500 citizens opposing the project.

Ms. Smith compared it to Vinegar Hill and the Garrett Street Rehabilitation. She said the Marriott could buy the whole site and perhaps never build the residential portion. She said she couldn't support the project.

Mr. Huja stated he is familiar with the project and supports the project because it is a good development and good for the neighborhood.

Ms. Szakos moved to amend the motion to amend the 2009 PUD Development Plan, which amendment shall include the new 7 page Development Plan dated July 13, 2015, the revised Ordinance, and the Revised Proffer Statement dated July 13, 2015, all of these together constituting the proposed Rezoning. Mr. Brown stated this proposed Rezoning would need to be substituted for what you approved on first reading on June 15. Ms. Galvin seconded the motion. Ms. Smith questioned whether the revised development plan was substantial enough to warrant a new first reading. Mr. Brown responded that the motion in place proposes to amend the first reading of the ordinance. The motion was approved 3-2. (Ayes: Mr. Huja, Ms. Galvin, Ms. Szakos; Noes: Mr. Fenwick, Ms. Smith.) Council voted to approve the proposed amended ordinance. (Ayes: Mr. Huja, Ms. Galvin, Ms. Szakos; Noes: Mr. Fenwick, Ms. Smith.)

Ms. Smith made a motion to require an archaeological survey of the Cherry/Ridge property to search for evidence of a cemetery or human remains before any construction-related activity takes place on this project. Mr. Fenwick seconded the motion. Ms. Szakos suggested this be brought before Council on a future agenda, and Ms. Galvin concurred. Ms. Smith agreed to defer any action on her motion, but requested a legal opinion on what is required legally in this situation.

Ms. Smith also asked Mr. Brown for a written legal opinion on the legality of the sale of the Cherry/Ridge land to the current owner in 2014, after the purchase contract deadline had passed.

RESOLUTION: SPECIAL USE PERMIT FOR 201 GARRETT STREET (Deferred)

Mr. Brian Haluska, NDS, presented the staff report on the request by Mr. Oliver Kuttner for a special use permit (SUP) for micro-apartments at 201 Garrett Street. The request is for residential density in excess of the 43 dwelling units per acre (DUA) by right. The request is for up to 171 DUA, or a maximum of 233 units on the site. He reported that the Planning Commission expressed concerns about the building's relationship to Garrett Street, its conformity to the Strategic Investment Area (SIA) plan for that neighborhood, and the impact of the parking garage.

Mr. Haluska advised that Condition #3 in the proposed resolution should be amended to clarify that there should only be one vehicular exit/entry on Garrett Street, but not for the entire project.

Ms. Galvin asked about required documentation, and Mr. Haluska said the applicant supplies a narrative and proves compliance with special use permit requirements and the site plan.

Ms. Szakos asked Mr. Haluska to clarify for the public the difference between a PUD and an SUP. Mr. Haluska responded that a PUD approval involves rezoning a property to allow a different use, and a special use permit allows more intense development with Council approval but doesn't change the zoning.

Mr. Oliver Kuttner offered background information on the project, and said he had incorporated some of the Planning Commission's recommendations on streetscape changes and a lower building height. He stated there is a real market for smaller apartments, and claimed that smaller apartments would mean fewer cars, although residential is more expensive to build than office space. He discussed the cost advantages and disadvantages of constructing larger buildings. Mr. Kuttner said he doesn't want to build the 233 units originally requested and reviewed by the Planning Commission, but wants Council's approval on a specific number of micro-apartments at half the density, reducing the parking requirement by half, and reductions on portions of the building height. Mr. Kuttner believes it is more reasonable to require only one parking space per 2 micro-apartment units.

Mr. Fenwick said he likes the schematic drawing, but questioned Mr. Kuttner's statement about driverless cars being the norm in 10 years. In response to Mr. Fenwick's question, Mr. Kuttner said the apartments would not be primarily students.

Mr. Kuttner stated he is requesting permission to have a building of up to 65 feet for half of the Garrett Street frontage, and up to 101 feet on the other half. There was discussion about underground parking, and the size of a micro-apartment. Mr. Brown stated that Council can modify or reduce the number of parking spaces.

Ms. Galvin expressed concern about Mr. Kuttner's lack of specificity in the proposal. Ms. Szakos said she likes the idea of micro-apartments but the documentation provided doesn't match what Mr. Kuttner is now requesting.

Mr. Kuttner stated that by right he can build a 9-story building but prefers the more creative design for micro-apartments. Mr. Huja said he believes there is a demand for such housing types, and it is a good project.

Ms. Szakos said she is uncomfortable with voting on a special use permit when what Mr. Kuttner presented to the Planning Commission is different from what he is asking for now.

Ms. Smith voiced her support of the design and believes there is market demand for micro-apartments, but had concerns about whether the project would be built as designed given the parking requirements. Mr. Brown commented that when Council approves an SUP, then the applicant is bound to those conditions that are in the SUP Resolution.

Ms. Galvin said she opposes the project because of lack of support from the neighborhood, conflict with the Comprehensive Plan (desirable height limits), and the likelihood that this would end up as higher density student housing instead of the mixture of units contemplated by the Strategic Investment Area plan. She said she is very concerned about the street wall.

Mr. Fenwick stated he cannot support it as it was presented to Council.

Ms. Smith said she would like Mr. Kuttner to come back to Council with drawings and documentation that match his current request. Ms. Szakos commented that massing and scale are an integral part of an SUP and Mr. Kuttner's plan doesn't tell us what those are.

Mr. Fenwick suggested Mr. Kuttner go back to the Planning Commission. Mr. Huja agreed that a second Planning Commission review would be helpful. Mr. Brown said Council should specify that it is being referred back to the Planning Commission for the sole purpose of reviewing the plan as it was presented at this meeting. Councilors agreed to refer it to the Planning Commission for a second review.

APPROPRIATION: POLICE DEPARTMENT COMMUNITY RESPONSE VEHICLE - \$62,170 (carried)

Police Chief Longo presented a request for an appropriation for a community response vehicle for critical response and special events, replacing a vehicle that had to be decommissioned. The new vehicle will house materials and equipment for incidents requiring several days of response.

Mr. Fenwick asked about the frequency of use of the old vehicle for emergency response, and Chief Longo responded that a specific number was not available but it was used for community events, large gatherings, and could be used for dignitary visits.

Ms. Smith asked Chief Longo to describe its use in an investigation, and Chief Longo responded that such a vehicle could have been used as a mobile command post in the Hannah Graham case, and he envisions its use for community based activities also. Ms. Smith questioned whether a vehicle of this sort would prove intimidating to the African-American community, and how often it would be used. He stated the SWAT Team uses a tactical vehicle and utility truck, but it's a shared resource.

Ms. Szakos stated that she has been on the Disproportionate Minority Contact task force and attended conferences that stressed the need for local police to interact with the community.

On motion by Ms. Galvin, seconded by Ms. Szakos, the appropriation was carried over by a vote of 4-1. (Ayes: Ms. Smith, Mr. Huja, Ms. Szakos, Ms. Galvin; Noes: Mr. Fenwick)

Ms. Smith requested a future report on the use of the vehicle, and asked about the source of the funding. Chief Longo responded the funds came from a donation by the Charlottesville Police Foundation and asset forfeiture funds.

RESOLUTION: BICYCLE AND PEDESTRIAN MASTER PLAN UPDATE – COMPREHENSIVE PLAN AMENDMENT (Deferred)

Ms. Amanda Poncey, Bicycle and Pedestrian Coordinator, presented a PowerPoint on the proposed Update to the 2003 Bicycle and Pedestrian Master Plan in the Comprehensive Plan. The City hired Toole Design Group, specialists in multi-modal transportation, to update the Plan. Ms. Poncey reviewed the highlights of the Update, including analysis of demand, connectivity of trails and bicycle lanes, pedestrian facilities, priority corridors, problematic intersections, educational campaigns, implementation phases, and funding opportunities.

Ms. Poncey confirmed for Mr. Huja that the Planning Commission had approved this Update and its amendment to the Comprehensive Plan.

Ms. Galvin asked about how they prioritized the bicycle and pedestrian infrastructure needs, and Ms. Poncey said it was in the index to the plan.

Ms. Szakos said she liked emphasis on education for all types of users. She would like to hear recommendations on how to expand the educational component. Ms. Szakos discussed the value of having more detail on the proposed pedestrian and bicycle network map. Ms. Szakos said she enjoys working with the County and the Thomas Jefferson Planning District Commission on improving arterial paths (along streamways because it's level).

Mr. Fenwick declared he is always in favor of auto safety education, and discussed the value of both bicyclist and motorist education about safety. He asked about the budgetary impact of these infrastructure improvements. Ms. Poncey said funding requests go through the Capital Improvements program and grant applications are submitted.

Ms. Smith said she was interested in the two models in West Main Streetscape plan. Ms. Poncey said protected bike lanes are definitely in the plan but not in specific detail. Ms. Smith said she likes the idea of shutting down the City portion of the John Warner Parkway on a particular weekend and open it only to bicyclists.

Ms. Galvin asked how the plan relates to Streets That Work. She stressed the need to align pedestrian and bicyclist needs under both plans (Streets That Work and the Bicycle/Pedestrian

plan). Ms. Poncy assured Ms. Galvin that staff and the consultant were keeping both plans in mind and sharing information.

Mr. Huja asked Ms. Poncy to elaborate on how the City would deal with the competing priority needs of sidewalks, bike lanes and roadways, and Ms. Poncy responded that they will keep all users in mind as they plan projects, especially ones involving repaving roadways.

Council discussed the value of teaching kids how to ride bikes and the opportunities to do so, and whether it would be useful to present this plan update to the Planning Commission or again to Council at an earlier time in the meeting so the community would be more likely to see it, and council members would have more time to review it.

Mr. Huja agreed that we should bring it back at a future meeting, and councilors agreed to defer a vote on it.

REPORT: HEALTH DEPT PRESENTATION (no action necessary)

Dr. Denise Bonds, Director of the Thomas Jefferson Health Department, presented a PowerPoint on the services provided to the City and its residents by the Health Department. They offer services related to preventive health, environmental health, and education. Dr. Bonds presented statistical information on a variety of public health matters, with comparison rankings within the state.

Ms. Szakos asked about providing internet access to lower income neighborhoods under the Accountable Care organizational umbrella. Dr. Bonds replied the Health Department is not part of that organizational effort but does have outreach programs to promote preventive care.

REPORT: SOCIAL SERVICES ADVISORY BOARD ANNUAL UPDATE (no action necessary)

Ms. Anne Broccoli, Chair of the Social Services Advisory Board, presented a report on the number and types of CDSS services and cases, with statistics on race, gender and outcomes.

Mr. Fenwick asked questions on the number of cases, the caseload for social workers, and any staffing shortage in CDSS. Ms. Diane Kuknyo, Director of CDSS, responded with her estimate of the numbers. Ms. Kuknyo stated the department is currently understaffed for both benefits and family services workers.

Ms. Szakos commented that a longitudinal chart of kids in foster care (by race) would be useful. Ms. Kuknyo informed Council that CDSS doesn't make the decision to place kids into foster care – only the courts have that power. She gave racial breakdowns on child protective services referrals, foster care services, and adoption services, and said the figures haven't changed very much over the last 5 years. Ms. Kuknyo said the number of children being provided services has dropped slightly, however.

Ms. Smith asked questions about the percentage of City children being provided child protective services and SNAP benefits.

RESOLUTION: ORGANIZATIONAL EFFICIENCY STUDY (Deferred)

Mr. Jones presented background on Council's request for a possible efficiency study. He said staff has put together a proposal (scope of services) for procuring an efficiency study but can't determine the cost until the scope of services is determined. Mr. Jones reviewed the major areas of the proposed scope of services. He asked for guidance from Council on whether these big picture issues are what Council is looking for.

Ms. Galvin inquired about the estimated cost if they approved the proposed scope of services, as presented. She said she particularly like weeding out inefficiencies created by departmental or division redundancy.

Ms. Szakos said her one concern is spending \$100,000 on such a study. She is inclined to do a smaller scale study based on staff or Council's suggestions on what should be studied.

Ms. Smith commented that the schools, police and parks and recreation are big departments that are duplicated in the County and we are spending millions of dollars by not consolidating services.

Mr. Fenwick said he is reluctant to spend any money on consultant studies. The City Manager is studying at Darden Business School and he may be able to do such a study. He would like to go back to the 2009 study and the biggest area of concern was Neighborhood Development Services. Mr. Fenwick said he continues to get complaints from neighborhoods.

Mr. Szakos stated that considering consolidation is a valuable exercise but there are risks in merging departments with the County. She agreed there are ways to share services that would save money. However, if either jurisdiction decided to drop out, it leaves the other jurisdiction vulnerable. Ms. Smith responded that jurisdictions don't have those conversations unless there is the potential to make a big impact on savings. She said the potential savings would be huge for both jurisdictions, but probably won't happen because people don't want to have that conversation.

Mr. Huja commented that consolidation of certain departments with the County has been examined before. With respect to the efficiency study, he stated he is reluctant to approve another study because of the cost and questionable value.

Ms. Galvin stated the City is about to hire several new department heads, and Mr. Jones is in the best position to determine what City needs. The cost of a study is a concern for her. There was discussion among the councilors as to the best way to determine what needs to be studied.

The matter was deferred, citing concerns about the cost of such a study and the benefit of any study. Ms. Szakos asked Mr. Jones to report on whether an efficiency study could be done with

existing staff, or with minimal outside assistance. Mr. Huja agreed. Mr. Jones said he would review it again but the timing is important, and there would be some costs.

MATTERS BY THE PUBLIC

There were no comments from the public.

On motion by Ms. Galvin, seconded by Ms. Smith, Council voted to meet in closed session for consultation with legal counsel regarding a potential settlement of the litigation involving the Fontaine Avenue Fire Station, where such consultation in an open session would adversely affect the City's negotiating posture, as authorized by Va. Code Sec. 2.2-3711(A)(7). (Ayes: Mr. Fenwick, Ms. Smith, Mr. Huja, Ms. Szakos, Ms. Galvin; Noes: None)

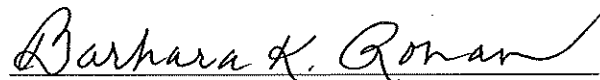
On motion by Ms. Galvin, seconded by Ms. Smith, Council certified by the following vote (Ayes: Ms. Smith, Mr. Huja, Ms. Szakos, Ms. Galvin; Noes: Mr. Fenwick) that to the best of each Council member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion convening the closed session were heard, discussed or considered in the closed session.

Lisa Robertson, Chief Deputy City Attorney, reported that there was a settlement conference regarding the litigation with Costello Construction on the construction of the Fontaine Fire Station. The parties reached a proposed settlement agreement which proposes the release of retainage funds to Costello Construction in amount of \$461,447.00. A subsequent payment in the amount of \$682,243 to Costello Construction will close out all claims against the City with respect to construction of the Fontaine Fire Station.

On motion by Ms. Smith, seconded by Ms. Szakos, Council voted to authorize the City Manager to sign the release and settlement agreement. (Ayes: Mr. Fenwick, Ms. Smith, Mr. Huja, Ms. Szakos, Ms. Galvin; Noes: None)

Mr. Aubrey Watts asked for approval of a resolution to transfer \$800,000 from the Ridge Street Fire Station budget to the Fontaine Fire Station budget, using funds previously appropriated from the Capital Improvements Fund. On motion by Ms. Szakos, seconded by Mr. Fenwick, the resolution was approved. (Ayes: Mr. Fenwick, Ms. Smith, Mr. Huja, Ms. Szakos, Ms. Galvin; Noes: None)

The meeting was adjourned.



Barbara K. Ronan
Acting Clerk of Council