

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Tuesday, September 8, 2015, at 6:00 p.m. at IN THE Second Floor Conference Room, City Hall, 605 East Main Street, Charlottesville, Virginia.

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 Barbara Ronan

SECOND FLOOR CONFERENCE ROOM – September 8, 2015

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 to meet in closed session for: (1) Consideration of prospective candidates for appointment to City boards and commissions, as authorized by Va. Code sec. 2.2-3711 (A) (1); and (2) Consideration of the acquisition of real property on Kenwood Lane for public trail purposes, and the acquisition of an easement on McIntire Road for public utility purposes, 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). (Ayes: Mr. Huja, Mr. Fenwick, Ms. Szakos, Ms. Smith, Ms. Galvin; Noes: None)

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 – September 8, 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

Mr. Huja announced it was National Payroll Week from September 7-11, 2015 and he signed a Proclamation for that.

Mr. Nix, Chair of the Board of Elections, thanked Council for buying new voting equipment to replace equipment purchased in 2002, which is no longer acceptable under law. He explained

about the voting process and differences between old machines and new machines, which have a ballot writer (for visually impaired voters). The new machines will be used in the November 3rd election. Buford students will use the new machines in a student government election. Mr. Nix introduced Rosanna Bencoach as General Registrar.

Ms. Szakos announced that the UCI Road World (bicycling) championship competition will be in Richmond this year and the USA Bicycle Team will be training in Charlottesville on September 9th. Several public events are planned in Charlottesville related to bike safety, cycling competitions, and panel discussions, including a community event at the Pavilion on September 17th.

Ms. Szakos notified the public of the upcoming Board of Supervisors/City Council work session on Thursday, September 10, at City Space.

Ms. Szakos announced several upcoming festivals: Charlottesville Pride Festival at Lee Park (September 19), the Charlottesville Sabroso Festival (Latin American culture) on September 19 at Ix Art Park, the Vegetarian Festival on September 26 at Lee Park, and the TomTom Fall Block Party on September 26 at Ix Park.

Ms. Galvin announced the open house for the Streets That Work plan on September 15. There will also be walking tours on Preston Avenue and Ridge-McIntire, followed by observation and study of the Transit Center on September 16.

Ms. Smith announced Transit route changes to Routes 3, 7 and 10. She also announced a citizens forum sponsored by Mr. Fenwick with a speaker on "Municipal Development: Fact and Fiction" on September 17 from 5:30 to 7:00 p.m. in Council Chambers.

Mr. Fenwick said on September 10th the City will hold an open house on the anniversary of the Downtown Job Center (10 a.m. to 2:00 p.m.).

MATTERS BY THE PUBLIC

Carrie Smith, 1005 Cherry Avenue: PHAR Interns, thanked Council for funding the 6 month program, and described their work. **Michelle Jones** said she studied safety in public housing and stated their recommendations for solutions. **Cindy Ivery**, 2015 PHAR intern. She studied redevelopment of public housing and got input from residents on the future of redevelopment. **Brandon Collins** said they held 5 workshops in 3 days, will do door knocking, and will make their work public soon. The graduation ceremony for PHAR interns will be on September 18 in Cityspace.

Gordon Hair, Stony Point, on behalf of the Ben Hair Swim for Life Foundation, which sponsors 600-1,000 low income students and conducts an after-school elementary program for 6 schools each year. The Foundation helps to fund a Parks & Rec summer camp (Learn to Swim), uses all 4 indoor pools during winter, and donates money to the YMCA. They support the YMCA so there will be access to more pools for the public.

Jessica Maslaney, Crozet: She acknowledged the presence of donors for YMCA facility and Board members, and the people who support the YMCA swim program.

Amy Wicks-Horn, 980 Charter Wicks Drive: She supports the YMCA and described the various YMCA programs, including a child care center at Jefferson School. She said most children served are in need, but also mentioned programs for older adults. They provide services that are not available anywhere else for lower income individuals. She emphasized that with a new facility the YMCA could serve 40,000 people per year.

Donna Gasapo: She stated there was a National Call for Action on August 15, 2015 on Black Lives Matter, and coming up is the 3 year anniversary of the disappearance of Sage Smith, a local transgender woman. She described the support received from various organizations and persons, but complained about the lack of action by the City. Ms. Gasapo spoke about investment in development that threaten black neighborhoods, stop and frisk policies, the disproportionate drop out rate for blacks, and gentrification of black neighborhoods. She praised PHAR but said several years ago certain Council members lobbied to de-fund PHAR.

Lolita "Cookie" Smith, grandmother of Sage Smith, commented on her grandchild's disappearance and how her health has suffered because of it. She said she will be more visible soon, and wants answers about why white girls' disappearances are solved but not black girls. She asked Council to please help her find her grandchild, and others who are missing.

Michael Barnes, 1411 Lester Drive: He is affiliated with the Trail Network Advocacy Coalition and wholeheartedly supports the efforts of City staff and the proposed Bike/Pedestrian Plan. He said off street trails are safer, and bike planning needs to be at a regional level. They have reached out to County staff to make the same point. The Plan can be made stronger by prioritizing off street trails and coordinating it with on-street improvements. He asked Council to keep it a living document, and work with the County.

Ravi Respeto, 988 Amber Ridge Road: She declared her support for the YMCA, and is a member of the Crozet facility. There is a wonderful variety of people using the YMCA (seniors, small children). She said it is time to build a YMCA in the City. Her own sons used YMCA growing up and it benefited them greatly.

John Heyden: He asked for arrest data to be disclosed (all arrest, not just stop and frisk). He said it is hard to believe the police chief would condone or conceal any misconduct. He wants the same standards for those who enforce the law to those who break the law. He supports weeding out officers who break the law, but said we should respect and appreciate the police. He said there seem to be different standards applied on both sides.

Louis Schultz, 1809 East Market Street: Mr. Schultz disputed Council's authority to cancel a Council meeting by skipping the August 3rd meeting. He cited the unconstitutional panhandling ordinance, the Strategic Investment Area (SIA), and refusing to provide arrest data as other examples of Council overstepping its authority. Mr. Schultz said this is the 44th time he has come before Council to complain about the City violating his civil rights (Steep Hill Street).

Charlene Green, Office of Human Rights: Ms. Green informed Council about the Community Bridge Builders program , which seeks out people who embody the spirit of Drewery Brown, a civil rights and community leader that the West Main Street bridge is named after. The Human Rights Committee is soliciting people who want to be on the Selection Committee (3 meetings) and the deadline to apply is September 11. December 10 is National Day for Human Rights, and interested persons can contact her at 970-3115.

Mr. Huja announced that Item #7 on the agenda (YMCA Financial Plan Update) has been postponed to the September 21st meeting.

COUNCIL RESPONSE TO MATTERS BY THE PUBLIC

Mr. Fenwick thanked the PHAR interns for their work. He said he was a member of the YMCA long ago and thanked its supporters.

Ms. Smith also thanked the PHAR interns and looks forward to their graduation. She said she supports the YMCA in general, and especially thanked Mr. Hair for his foundation (Swim for Life) and recognized that swimming is a survival skill and all children should be taught to swim. She said 3 people are doing a history of the persons who are currently named on the Bridge.

Ms. Szakos thanked the PHAR interns for their detailed work. She sympathized with Mrs. Smith on the disappearance of her grandchild, but said she is convinced that the police have put forth as much effort into her disappearance as other missing persons. She recognizes that Sage Smith's disappearance did not generate national attention. Ms. Szakos said the City is really trying to approve development that benefits low income neighborhoods. She stated bike lanes are for regular people, especially commuters, and not just hard core or recreational bicyclists.

Ms. Galvin acknowledged Ms. Cookie Smith's anguish about her grandchild's disappearance, and said it is important to remain persistent in finding missing children and young adults. She said although she has faith in our police department, it doesn't lessen the pain.

Mr. Huja asked for the Police Chief or his staff to meet with Cookie Smith. Mr. Maurice Jones said Detective Mooney met with Ms. Smith several weeks ago to update the family. Mr. Huja asked them to meet again one more time.

CONSENT AGENDA

With respect to Consent Agenda Item 1(k) on the acceptance of McIntire Road Extended, Mr. Fenwick commented that he has received complaints about the stoplight on Park Street at the 250 Bypass entrance. Mr. Jones responded that the City controls the stoplights on Park Street (not VDOT), and people can call 970-3101 to lodge a complaint.

Ms. Szakos commented that she is impressed with number and amount of grants the City is receiving to provide services (\$750,000 in grants and applications for grants on the consent agenda).

Ms. Smith commented on Item 1(c) on the Consent Agenda (Grant for Safe Routes to School). She stated the grant would allow a trail along the creek that children could use, which supports the Bike/Pedestrian Plan.

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

a. Minutes for August 17

b. APPROPRIATION: Urban and Community Forestry Grant - \$20,000 (2nd reading)

WHEREAS, the City of Charlottesville has received \$7,000 from the Virginia Department of Forestry through the Urban Community Forestry Grant in order to perform an urban tree canopy assessment; and

WHEREAS, the City will contribute \$13,000 in funds from the Urban Tree Preservation and Planting fund to supplement the grant;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$7,000 received from the Virginia Department of Forestry is hereby appropriated in the following manner:

Revenue - \$20,000

\$7,000	Fund: 209	IO: 1900254	G/L Code: 430120
\$13,000	Fund: 209	IO: 1900254	G/L Code: 498010

Expenditures - \$20,000

\$20,000	Fund: 209	IO: 1900254	G/L Code: 599999
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Transfer

\$13,000	Fund: 425	WBS: P-00428	G/L Code: 561209
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$7,000 from the Virginia Department of Forestry.

c. APPROPRIATION: Safe Routes to School Program Grant for Jackson-Via School - \$249,959 (2nd reading)

WHEREAS, the Safe Routes to School Program (S.R.T.S.) grant, providing Federal payments for construction of sidewalks and crosswalks has been awarded the City of Charlottesville, on behalf of Jackson-Via School, in the amount of \$199,967;

WHEREAS, the S.R.T.S. program is a 80% reimbursement program requiring the City to meet all federal guidelines to qualify and;

WHEREAS, the grant requires a 20% match of \$49,992 to be provided by transfer from Citywide A.D.A. Sidewalks and Curb Ramps (P-00670);

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

Revenues

\$199,967	Fund: 426	WBS: P-00877	G/L Account: 430120
\$49,992	Fund: 426	WBS: P-00877	G/L Account: 498010

Expenses

\$249,959	Fund: 426	WBS: P-00877	G/L Account: 530550
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Transfer

\$49,992	Fund: 426	WBS: P-00697	G/L Account: 561426
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$199,967 from the Virginia Department of Transportation.

d. APPROPRIATION: Victim Witness Assistance Program Grant - \$178,551 (2nd reading)

WHEREAS, The City of Charlottesville, through the Commonwealth Attorney’s Office, has received the Victim Witness Program Grant from the Virginia Department of Criminal Justice Services in the amount of \$148,301; and

WHEREAS, the City is providing a supplement in the amount of \$30,250, the source of which is the Commonwealth Attorney’s salary budget (Cost Center: 1401001000; G/L Account: 519999).

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$178,551 is hereby appropriated in the following manner:

Revenues

\$111,226	Fund: 209	Cost Center: 1414001000	G/L Account: 430110
\$ 37,075	Fund: 209	Cost Center: 1414001000	G/L Account: 430120
\$ 30,250	Fund: 209	Cost Center: 1414001000	G/L Account: 498010

Expenditures

\$114,484	Fund: 209	Cost Center: 1414001000	G/L Account: 510010
\$ 8,756	Fund: 209	Cost Center: 1414001000	G/L Account: 511010
\$ 25,633	Fund: 209	Cost Center: 1414001000	G/L Account: 511020
\$ 878	Fund: 209	Cost Center: 1414001000	G/L Account: 511030
\$ 20,930	Fund: 209	Cost Center: 1414001000	G/L Account: 511040

\$ 4,808	Fund: 209	Cost Center: 1414001000	G/L Account: 520010
\$ 3,062	Fund: 209	Cost Center: 1414001000	G/L Account: 530100
Transfer			
\$ 30,250	Fund: 105	Cost Center: 1401001000	G/L Account: 561209

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$148,301 from the Virginia Department of Criminal Justice Services.

e. APPROPRIATION: Adoptions Through Collaborative Partnerships Grant Renewal - \$84,000 (2nd reading)

WHEREAS, the Charlottesville Department of Social Services has received \$84,000 to support Adoptions Through Collaborative Partnerships from the Virginia Department of Social Services R.F.P.# F.A.M.-14-072;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$84,000 is hereby appropriated in the following manner:

Revenue – \$84,000

Fund: 212 Cost Center: 3343012000 G/L Account: 430110

Expenditures - \$84,000

Fund: 212 Cost Center: 3343012000 G/L Account: 599999

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$84,000 from the Virginia Department of Social Services.

f. APPROPRIATION: Donation to Market Central - \$500

WHEREAS, the City of Charlottesville, through the Parks & Recreation Department, has received donations in honor of Susanne Palmer a City Market supporter of which \$500 will go towards Market Central.

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

Expenditures \$500 Fund: 105 Cost Center: 180038 G/L Account: 599999

g. APPROPRIATION: Enhanced Police Coverage Donation - \$84,194 (carried)

h. APPROPRIATION: Fire Programs Aid to Localities - \$137,789 (carried)

i. APPROPRIATION: Grant for Belmont Historic Survey - \$33,000 (carried)

j. RESOLUTION: Accept McIntire Road Extended (John W. Warner Parkway) into City Street System

WHEREAS, it is necessary that a resolution be adopted by the City of Charlottesville Council requesting the Virginia Department of Transportation to accept a street addition in the City of

Charlottesville for maintenance payments for John W. Warner Parkway, formerly known as McIntire Road Extended, from the Intersection of Melbourne Road & John W. Warner Parkway to the City Limits with Albemarle County for a centerline distance of 0.07 mile and the portion of John W. Warner Parkway from the City Limits to Route 250 Bypass for a centerline distance of 0.481 mile. The total addition of John W. Warner Parkway is 0.551 centerline mile.

WHEREAS, the Virginia Department of Transportation has accepted this street addition into the State system or roadways, and

WHEREAS, said street has a total centerline length of 1.102 miles, and

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Charlottesville, Virginia, this 8th day of September, that the Virginia Department of Transportation be, and hereby is, requested to accept this street into the City's transportation network and authorize maintenance payments on a lane mile basis to the City.

ADOPTED this 8th day of September, 2015.

k. RESOLUTION: Accept Portion of McIntire Road into City Street System

WHEREAS, it is necessary that a resolution be adopted by the City of Charlottesville Council requesting the Virginia Department of Transportation to accept a street addition in the City of Charlottesville for maintenance payments for McIntire Road, from the Intersection of McIntire Road & Route 250 Bypass to 0.15 miles south of the Route 250 Bypass for a centerline distance of 0.15 mile. The total addition for the Route 250 Interchange project at McIntire Road is 0.15 centerline mile.

WHEREAS, the Virginia Department of Transportation has accepted this street addition into the State system or roadways, and

WHEREAS, said street has a total centerline length of .45 miles, and

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Charlottesville, Virginia, this 8th day of September, that the Virginia Department of Transportation be, and hereby is, requested to accept this street into the City's transportation network and authorize maintenance payments on a lane mile basis to the City.

ADOPTED this 8th day of September, 2015.

l. RESOLUTION: Approve Grant Application for Meadow Creek Trail Bridge

A resolution authorizing application(s) for federal funding assistance from the Recreational Trails Program (R.T.P.) to the Virginia Department of Conservation & Recreation (D.C.R.).

WHEREAS, under the provisions of R.T.P.F., federal funding assistance is requested to aid in financing the cost of bridge construction within the Meadow Creek Valley, and

WHEREAS, The City of Charlottesville considers it in the best public interest to complete the project described in the R.T.P. application;

NOW, THEREFORE, BE IT RESOLVED that:

1. The City Manager be authorized to make formal application to D.C.R. for funding assistance;
2. Any fund assistance received be used for implementation and completion of construction of the trail bridge over Meadow creek within the specified time frame;
3. The City Manager hereby certifies that project funding is currently available and is committed for the completion of this project while seeking periodic reimbursement through the Recreational Trails Program.
4. We are aware that the R.T.P. funding, if approved, will be paid on a reimbursement basis. This means we may only request payment after eligible and allowable costs have already been paid to our vendors and evidence of such has been provided to D.C.R.
5. We acknowledge that the assisted trail project will have an assigned life expectancy assigned to it and that the facility must be maintained to standards suitable for public use.
6. We acknowledge that we are responsible for compliance with the National Environmental Policy Act, Endangered Species Act, Historic Preservation Act, Executive Orders 11988 and 11990 (Floodplain Management and Wetlands Protection) and all other applicable state and federal laws;
7. We acknowledge that appropriate opportunity for public comment has been provided on this application and evidence of such is a required component for approval.
8. This resolution becomes part of a formal application to the Virginia Department of Conservation & Recreation.

m. RESOLUTION: Application for Revenue Sharing Grant for Sidewalks, ADA Improvements and Bike Lanes

At a regularly scheduled meeting of the Charlottesville City Council held on September 8, 2015, on a motion by Ms. Kristin Szakos, seconded by Ms. Kathy Galvin, the following resolution was adopted by a vote of 5 to 0:

WHEREAS, the Charlottesville City Council desires to submit an application for an allocation of funds of up to \$295,000 through the Virginia Department of Transportation Fiscal Year 2017, Revenue Sharing Program; and,

WHEREAS, \$295,000 of these funds are requested to fund New Sidewalk, ADA Improvements and & Bicycle Improvements; and,

NOW, THEREFORE, BE IT RESOLVED THAT the Charlottesville City Council hereby supports these applications for an allocation of \$295,000 through the Virginia Department of Transportation Revenue Sharing Program.

BE IT FURTHER RESOLVED THAT the Charlottesville City Council hereby grants authority for the City Manager to execute project administration agreements for any approved revenue sharing projects.

ADOPTED this 8th day of September, 2015.

n. ORDINANCE: Stormwater Utility Amendments (2nd reading)

o. ORDINANCE: Reduce Emmet Street Speed Limit from Arlington Boulevard to Hydraulic Road (carried)

PUBLIC HEARING/RESOLUTION: CHARLOTTESVILLE PROJECT SUBMISSIONS FOR HOUSE BILL 2 TRANSPORTATION FUNDING

Ms. Missy Creasy, Assistant Director of Neighborhood Development Services (NDS), reported on House Bill 2, which outlines the state process for funding new transportation needs, and includes two programs for funding. Ms. Creasy said under one program there is a pool of \$30 million allocated and eligible for localities in Culpeper Transportation district, and another program available to all state localities. The Commonwealth Transportation Board makes the final decision on all applications received. The City is eligible for both programs, and will apply for funding from both programs. The staff has identified three specific projects that could be competitive. She said applications are due September 30, 2015.

Mr. Tony Edwards, Development Manager in NDS, described the three projects (in priority order) being proposed for Council approval: (1) East High Street Streetscape Improvements (connection to downtown mall from Locust Avenue) and the plan would include widening sidewalks, signage, bike lanes, stormwater improvements, better access to mass transit, etc.; (2) Fontaine Avenue Streetscape - expanded sidewalks, bike lanes, landscaped medians, trees, crosswalk improvements, transit improvements, etc.; (3) Emmet Intersection Improvements (Arlington Boulevard to Ivy Road) and includes shared use paths, bike lanes, landscaping, improved pedestrian crossings, etc.

Ms. Galvin asked if any street trees are included in the East High Street project. Mr. Edwards responded that trees are included in the East High Street plan.

Mr. Fenwick asked if the City is limited to only 3 projects in the application. Mr. Edwards responded there was not a limit but the City's #1 priority project would be compared to the #1 priority projects from other localities in the approval process, and practically speaking, staff only had time to complete the work needed to submit 3 projects. Mr. Fenwick asked about public input, and Mr. Huja said there is a public hearing tonight to receive public input and a decision would be made after that.

Mr. Huja asked staff why the East High Street plan did not go all the way to Free Bridge instead of stopping at Locust Avenue. Mr. Edwards responded that another project will result in improvements from Free Bridge to Locust Avenue. Mr. Jones said that project has already been identified and funded. Ms. Szakos said there has been a significant amount of public input on roadway improvements through the Metropolitan Planning Organization (MPO).

Mr. Huja opened the Public Hearing.

Steven Bock, 1208 Meriwether Street. He said he especially likes the project on Emmet Street, which he has been supporting for years. He said the City may see economic benefit from

improving access from UVA to Barracks Road Shopping Center with bike lanes and sidewalks that would encourage UVA students to walk to City shopping centers and businesses.

With no other speakers, Mr. Huja closed the public hearing.

Ms. Szakos asked for clarification on this item because she would be willing to move forward and vote on it tonight although it is not on the agenda for action. Mr. Huja agreed and asked for other councilors' opinions.

Ms. Creasy said staff would not object to approving the projects this evening because of the application deadline.

Ms. Galvin said these are very needed projects, but would like to know what the public input process was for this.

Ms. Szakos stated she understands the projects will be judged on specific criteria (environmental impact, reducing traffic congestion, increasing connectivity, etc.) and asked for clarification from staff that these are the ones that meet the criteria and would most likely be approved. Mr. Edwards responded that these projects have been evaluated by staff to have the best chance of approval. Ms. Szakos asked if the funding opportunity would be available every year, and Mr. Edwards responded that is the assumption, but it is a new funding program with no guarantee.

Ms. Szakos said there was a lot of public participation at the MPO level.

Mr. Fenwick said he would prefer not to vote at this meeting unless there is a compelling reason to do so and won't jeopardize the timely submission of our application. Mr. Edwards said there is urgency, because there would only be 9 days to submit the application if the vote takes place on September 21st.

Ms. Smith said she prefers not to vote now because it would encourage people to submit at the last minute. She said the policy is not to vote at the same time as a public hearing is held. Ms. Szakos stated that not voting on the same night as a public hearing is not a policy, but a preference.

Ms. Galvin said this is designed to bring more money to the City and giving staff more time to prepare the application by voting tonight is the better way to go.

On motion by Ms. Szakos, seconded by Ms. Galvin, a Resolution was approved to adopt the proposed 3 projects (in priority order) for submission for House Bill 2 funding. (Ayes: Mr. Fenwick, Ms. Galvin, Mr. Huja, Ms. Smith, Ms. Szakos; Noes: None)

Mr. Huja commented that he would support improvements to High Street from Free Bridge to downtown, and also West Main Street. Mr. Jones said in the future, staff will have more time to allow public input before bringing projects to Council for a vote.

RESOLUTION: APPROVE BICYCLE/PEDESTRIAN MASTER PLAN UPDATE

Ms. Amanda Poncy, Bicycle and Pedestrian Coordinator, presented the staff report on the proposed update to the Bicycle/Pedestrian Master Plan. Ms. Poncy thanked Steven Bock and Toole Design (consultant) for their assistance in producing the proposed updated plan. She introduced Chris Gensic, Trails Planner in the Parks & Recreation Department, to assist in answering questions. A PowerPoint presentation was shown, after which Mr. Huja asked for comments or discussion.

Ms. Smith asked if the trail along Moore's Creek accommodate bikes, and Ms. Poncy responded affirmatively. Ms. Smith also inquired about any ecological concerns of clearing for trails and locating trails along creeks and the river. Mr. Gensic responded that many of the trails are located where underground sewer lines are present so the paths are already cleared, and there's no need to remove additional trees. He stated sediment is sometimes a problem. Ms. Smith asked about paving trails for bicycle users, and Mr. Gensic said a balance has to be struck between keeping trails natural and making them safe or attractive.

Ms. Smith commented that staff could work with the City elementary schools to enhance the bicycle/pedestrian network (in conjunction with Safe Routes to School) by adding an option for school children who live within one mile of a school with a "safe route" to enroll in that school, regardless of the assigned school district.

Ms. Galvin praised the Plan Update, calling it an excellent achievement although it took 12 years to get to this point. She stated she has suggestions for future projects: (1) Keep looking at trails near creeks even though they may be problematic; (2) Remember the Comprehensive Plan vision that walking and biking will be safe and connected to City and County destinations through on-street and off-road trails – need to integrate street trees into sidewalk assessments to make it comfortable and pleasant to walk; (3) Consider building of local city roads to other roads that have greater regional connectivity; (4) Keep working on prioritizing streets because existing streets are more difficult to widen and add trees. Ms. Galvin commented on funding has to be considered at all levels of planning. Ms. Poncy said that Bike/Pedestrian Plan is intended to work with the Streets That Work plan, and streetscape and green infrastructure costs are definitely being considered in the budget.

Mr. Fenwick suggested that there is a need to retrofit sidewalks to comply with the Americans with Disabilities Act. He said ADA compliance is one of the goals of the Bike/Pedestrian Plan.

Ms. Szakos quoted statistics from the Plan on miles of sidewalks and bike lanes, off-road trails and others. She suggested the majority of people in the City are receptive to using bicycles but aren't biking on arterial streets because it is dangerous so addressing it in the Plan is good. She agreed with the priorities shown in the report, and would like an emphasis on creating more off-road bikeable trails to increase commuter use of bicycles. She commented on bicycle education – would like to see an education piece codified in the recommendations in the Plan.

Ms. Galvin said mid-block infrastructure for pedestrian walkways (such as with Jefferson Park Avenue) could use improvements for next year's plan.

Mr. Huja asked if Council could just adopt a resolution, but adding in the suggested changes to the Plan.

Ms. Smith asked how multi-use trails are working out (bikes and pedestrians in the same space). Mr. Gensic said they are very popular, especially the John Warner parkway. Ms. Smith commented that she still wanted to temporarily close down a travel lane in certain streets (perhaps Preston Avenue) to test out bike lane accessibility.

Ms. Poncy said TJPDC is doing its annual bike and pedestrian counts soon which will add to the data.

Mr. Fenwick asked if there is any conflict between bird watchers and use of the trails by bikers and dog walkers. Mr. Gensic said he has received few complaints, but is aware of complaints at Ragged Mountain. He stated Council will be able to review proposed rules for use of the Ragged Mountain park area at a future meeting.

On motion by Ms. Szakos, seconded by Ms. Galvin, the Bicycle/Pedestrian Master Plan Update was approved unanimously. (Ayes: Mr. Fenwick, Ms. Galvin, Mr. Huja, Ms. Smith, Ms. Szakos; Noes: None)

Ms. Smith asked Mr. Gensic to give a brief update on the Carlton Avenue/Meade Avenue pedestrian/bike trail. Mr. Gensic said construction is complete and signage is to be installed, but it hasn't been accepted yet by the City. Staff will be submitting a grant application to continue the path from the coal tower to the Belmont Bridge, making it accessible to downtown.

Mr. Huja said the CATEC presentation will be done before consideration of the Transient Lodging/HomeStay ordinance.

REPORT: CATEC STRATEGIC PLAN UPDATE

Ms. Catherine Lee, Strategic Planning and Workforce Development Officer for the Charlottesville-Albemarle Technical Education Center (CATEC), said the local workforce needs to be examined so training can be geared to needs. CATEC strives to identify career paths for students, identify employers to participate in curriculum development and planning, engage and work with schools to recruit students in middle school and coordinate academic schedules. She stated they are working with the Chamber of Commerce, and Piedmont Virginia Community College (PVCC) on dual-credit programs and programs where industry credentials are needed, such as Information and Engineering Technology, Advanced Manufacturing, and Health and Medicine.

Mr. Fenwick asked if CATEC wants to boost enrollment and Ms. Lee responded affirmatively. She said CATEC accepts students from all area schools, and they are marketing CATEC to all schools. The enrollment demographics are determined by student and parental interest because enrollment is elective.

Ms. Smith inquired about the metrics CATEC uses to assess the success of programs. Ms. Lee responded they track the ease in which students hear about CATEC and are able to enroll. They want to make sure CATEC uses all its resources to communicate with the schools until the enrollment period ends. Ms. Smith asked about scheduling conflicts for certain student populations. Ms. Lee said if outreach occurred earlier, they could increase enrollment.

Ms. Smith asked whether there was duplication of classes (high school and CATEC courses), and asked for a description of the Information Technology program. Ms. Lee responded that students are doing more than programming (such as switching and routing, networking), and described specific courses that are not offered at the regular high school level.

Ms. Szakos commented that education at all levels is valuable, and appreciates CATEC's 21st century vision.

Ms. Galvin said she would like a better picture of how CATEC complements the work of PVCC. Ms. Lee responded that PVCC's mission is different but there is some overlap. CATEC is focused on students obtaining credentials, and maximize the student's ability to get college credits. She said they have 3 programs (high school, adult education without college credit, and adult apprenticeship).

The Mayor ordered a 10 minute break.

ORDINANCE: TRANSIENT LODGING (HOMESTAY) ORDINANCE AMENDMENTS
(2ND Reading)

Mr. Matt Alfele, NDS Planner, reviewed the changes to the ordinance that Council requested at its August 17th meeting, including removal of light fare food service, clarification on responsible party not needing to be present, all the property could be used and not just the dwelling, revocation clause was changed to require 3 or more substantiated complaints, and using the dwelling as a homestay within the 6 month residency period.

Ms. Smith expressed concern as to how a resident would figure out who the responsible party was for a particular homestay dwelling. Ms. Szakos asked if the City could publicize the number where someone can call City Hall to find out who it is. Mr. Alfele said that could be included in the procedural rules.

Ms. Szakos commented that although this ordinance doesn't have any impact on non-owner occupied homestay properties, she is willing to support this ordinance and leave an ordinance addressing non-owner occupied homestay properties for another time. She asked staff to be aware of the concern about its impact on housing availability and housing prices, and keep track of the areas where homestay dwellings are prevalent or concentrated in order to decide if the issue needs to be revisited.

Ms. Galvin said she preferred regulating owner-occupied rentals and non-owner occupied rentals, and monitoring both. She still feels it's an incomplete model and is uncomfortable

having Council enact this ordinance knowing it is incomplete. She suggested Council revisit non-owner occupied rentals in the future, but she can't vote for the proposed ordinance.

Ms. Smith said she supports passage of this ordinance, and commented that home occupation uses don't have to be in owner-occupied homes. Ms. Lisa Robertson, Chief Deputy City Attorney, responded that the person claiming a home occupation must live in the home, but not necessarily own it. Ms. Smith said under our Code a person cannot buy a home and use it exclusively for temporary, short term rental purposes.

Mr. Fenwick said he believes it is a reasonable measure that can be built upon.

The ordinance was approved on second reading by a vote of 4-1 (Ayes: Mr. Fenwick, Mr. Huja, Ms. Smith, Ms. Szakos; Noes: Ms. Galvin).

Mr. Huja complimented the staff for their good work.

REPORT: PIEDMONT COUNCIL FOR THE ARTS – CHARLOTTESVILLE-ALBEMARLE CULTURAL PLAN

Mr. Gram Slayton, Executive Director of Piedmont Council for the Arts (PCA) spoke about Council's charge for PCA to develop a "Cultural Plan" for the community. He explained some of the charts included in the materials, and reviewed the actions taken by PCA to accomplish the goals. He said funding is being examined because there is a crisis of sustainability for arts organizations. He said the plan is well under way but needs a larger framework and vision (Education Assets, Historical Assets, Arts Assets).

Mr. Fenwick said Tonsler Park has a beautiful little amphitheater but it is not being used. He encouraged PCA to promote this venue.

Ms. Szakos said she heard unspoken piece about needing more money. She said the approach of the City is to facilitate collaboration among arts organizations for more collective impact. Mr. Slayton said he agrees wholeheartedly that there are some inefficiencies.

Ms. Galvin said she appreciated the spread sheets because it helps people understand the physical plant and programmatic opportunities the City has to help support the arts community.

Ms. Smith recommended funding the arts through tourist dollars (portion of lodging or other tourism based tax) for more predictable funding.

Mr. Huja thanked him for his presentation. The City has good infrastructure and resources. He said he hopes Council will continue to support the arts and PCA.

ORDINANCE: AMENDMENT TO YMCA GROUND LEASE (1st reading)

Kurt Krueger, Chair of Piedmont YMCA, summarized the request for an amendment to the YMCA Ground Lease, as follows: (1) The borders of the leased area are shown in an attached

drawing, which information wasn't available at the time the lease was executed in 2008 because the McIntire Park Master Plan had not yet been completed; and (2) Clarification on the City's obligation to buy back the constructed facility in the event of a YMCA default. Mr. Krueger stated the YMCA's lender is requiring them to execute a leasehold deed of trust to secure the loan, with the YMCA's interest in the lease being the collateral (not the ownership of the land), subject to all the requirements in the lease.

Mr. Craig Brown, City Attorney, informed Council that a public hearing is required but because the request for amendment was only recently received, Council could choose to have a first reading and the public hearing could be conducted before the second reading on September 21st.

Ms. Szakos confirmed with Mr. Brown that the vote would take place at the same meeting that the public hearing is held.

Ms. Smith thanked Mr. Krueger for his clarifications. She said she is concerned, in the event of default, about what kind of operator might take over the lease. Mr. Krueger assured her that anyone who took over lease would have to operate it in same way as the YMCA would be required to do. Mr. Brown stated the City's signature on the leasehold deed of trust (as Master LandLord) acknowledges the right of the lender to choose a new lessee. Ms. Smith continued to express concern about the risk to the City of having no choice concerning the bank's designation of a new lessee, if necessary. Mr. Krueger commented that the bank would not foreclose and pick a new lessee unless the YMCA has not been able to operate the facility successfully. Any new operator chosen by the bank would have to serve the entire community without discrimination and in compliance with the terms of the ground lease and use agreement.

Ms. Smith asked if use of the parking spaces would be reciprocal so that either the City or YMCA can use them. Mr. Krueger responded that there is no reserved parking for either the YMCA or City. He said he contemplates that the Use Agreement will cover parking. Ms. Smith asked that parking reciprocity be clearly stated in the Ground Lease in case a new Lessee ever takes over.

Ms. Szakos commented that she is uncomfortable with the "fear mongering" aspect of Ms. Smith's concern. Ms. Szakos said the City has an iron clad document that protects the City.

On motion by Ms. Szakos, seconded by Ms. Galvin, the Ordinance was carried over for second reading, conditioned upon a public hearing being held before the second reading of the Ordinance.

Ms. Smith said the proposed development plan results in the loss of two shelters in McIntire Park. Mr. Krueger stated the YMCA has to pay for cost of shelter removal, but not the cost of shelter replacement.

Ms. Smith reiterated that Mr. Krueger has confirmed that all parking within the YMCA leased area would be McIntire Park parking, and open to the public.

REPORT: QUARTERLY UPDATE FROM RIVANNA WATER AND SEWER AUTHORITY/RIVANNA SOLID WASTE AUTHORITY

Mr. Tom Frederick, Executive Director of the RWSA/RSWA, presented a brief update on the status of certain projects, including the Schenk's Branch Interceptor Replacement, the installation of advanced carbon filtration technology at water plants, the new Rivanna Pump Station and the odor control problem in Woolen Mills, and the Ivy Materials Utilization Center.

Ms. Szakos welcomed the news about the activated carbon filtration for public water.

Mr. Fenwick asked about any potential effect of a new brewery to be located near the City limits. Mr. Frederick responded that he has not been in any discussion about a brewery. Mr. Frederick stated that laboratories and medical facilities sometimes use a lot of water, but that hasn't been a problem.

In response to a question by Ms. Smith, Mr. Frederick said no other parties are allowed to tap water directly from the reservoir.

Ms. Smith asked for an update on new Moore's Creek pump station. Mr. Frederick said construction is underway, and the tunnel is halfway to Woolen Mills. Mr. Frederick estimated it would be 6 weeks before it reaches Woolen Mills. He confirmed that Woolen Mills residents would not experience any problems due to the tunneling. He also confirmed that the odor control project will be bid out at the end of the year, and he believes the Board made the right decision to build it.

In response to Ms. Smith's question, Mr. Frederick informed her that the Schenk's Branch Interceptor construction will start around the middle of next year, and the importance of the 14th/15th Street collector system, which has had problems. The 14th/15th Street collector serves future growth into West Main Street and the UVA Grounds.

Ms. Smith asked about the state of the South Fork Reservoir. Mr. Frederick responded that lower water levels are not unusual in dry conditions but it will fill up with only a couple of inches of rain. Staff has done modeling of a variety of possible weather conditions and water supply needs would not be affected for the next 12-24 months. He said Ragged Mountain Reservoir is 65-75% full.

Ms. Smith asked about whether RWSA is still releasing water into the Moorman's River. Mr. Frederick said they are following the formula to calculate inflow and outflow as required by the Department of Environmental Quality (DEQ) permit. He said less than 2 million gallons of water are being released into the Moorman's River (maximum allowed under permit).

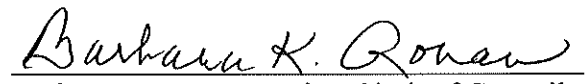
Ms. Smith asked if there are any plans in the future to take down the South Fork dam? Mr. Frederick said there is no serious consideration of taking down South Fork dam although technically it is possible.

Ms. Galvin thanked Mr. Frederick for being so prepared.

MATTERS BY THE PUBLIC

No one from the public appeared to speak on Matters by the Public.

Mayor Huja adjourned the meeting.


Barbara K. Ronan, Acting Clerk of Council