

**NOTICE OF SPECIAL MEETING**

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, December 21, 2015, AT 6:00 p.m. IN THE Second Floor Conference Room.

THE PROPOSED AGENDA IS AS FOLLOWS:

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

BY ORDER OF THE MAYOR

BY Paige Rice

**SECOND FLOOR CONFERENCE ROOM – December 21, 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 Mr. Fenwick, Council voted, (Ayes: Mr. Huja, Mr. Fenwick, Ms. Szakos, Ms. Smith, Ms. Galvin; Noes: None), to meet in closed session for (1) Discussion of the acquisition of a public utility easement at the County Office Building site on McIntire Road, where discussion in an open meeting would adversely affect the City's bargaining position, as authorized by Va. Code sec. 2.2-3711 (A) (3); and, (2) Consultation with legal counsel regarding (a) the negotiation of the terms and conditions of an agreement providing for the co-location of the City and Albemarle County General District Courts; and (b) specific legal issues arising from the proposed zoning ordinance amendments applicable to West Main Street, as authorized by Va. Code sec. 2.2-3711 (A) (7).

On motion by Ms. Galvin, 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 – December 21, 2015**

**CALL TO ORDER**

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

**AWARDS/RECOGNITIONS & ANNOUNCEMENTS**

Ms. Galvin announced the Imagine a Day Without Water art contest winners, and their artwork was displayed at the front of Chambers.

Mr. Huja announced the West Main zoning item has been removed from the agenda and will be heard next month. Mr. Brown explained that staff received a letter questioning whether the City had adequately given notice to property owners regarding the joint Planning Commission/Council public hearing scheduled for the Planning Commission meeting on December 8. As such, the item will return to the Planning Commission and advertised for a joint public hearing, to occur next month.

Mr. Fenwick warned citizens against internet scams, especially those received via email. He announced the Christmas tree curbside pickup will begin the week of January 11, 2016. Please leave trees curbside by 7am on January 11. All decorations and stands must be removed. Please no yard waste. Trees will be chipped at Darden Towe Park, and free mulch will be available February 1 at Darden Towe Park.

Ms. Szakos announced City offices will be closed December 24 and 25 for Christmas. CAT will operate as usual on Thursday, with route service ending early. No service on Christmas Day. Go to [www.catchthecat.org](http://www.catchthecat.org) for more information. No curbside trash or recycling will be collected.

Ms. Smith announced City offices will also be closed Friday, January 1 for New Year's Day.

Mr. Fenwick presented Vice Mayor Smith with a framed photograph of a champion tree taken by Mr. Bill Emory and thanked her for her service on Council.

Ms. Szakos presented a framed rendering of the future City Market to Mayor Huja and thanked him for his service on Council.

Mr. Jones presented a key to the City to Vice Mayor Smith and Mayor Huja.

Mayor Huja thanked his colleagues for supporting him for mayor for two terms and thanked the City Manager and staff for their support. He thanked the City's residents for their support throughout his two terms on Council and said he is honored to have had the privilege to serve as mayor for this world-class city.

Ms. Smith thanked everyone for attending Council meetings and for the support people have given even in times of adversity.

## **MATTERS BY THE PUBLIC**

Ms. Nancy Carpenter, Rose Hill neighborhood, said this night has the most number of hours in darkness of any night in the year, and she asked people to remember how that affects our homeless community. She said a friend of hers who suffered from homelessness passed recently. She thanked Council for their continuing support of the homeless population.

Ms. Lena Seville, 808 Altavista Ave., said several groups have recommended a 10' setback for West Main. She said all buildings at a 0' setback feels cold and makes it difficult to navigate

the City. Local Issue Awareness in Action is a new group that gets together before Council meetings, and she invited outgoing Councilors to attend.

Ms. Pat Edwards, 212 6th St. NW, urged Council to lower the heights on West Main Street and make no exceptions. The view from the bridge to the church is a public treasure and should be preserved.

Mr. Jeff Fogel, Spruce St., said there are two separate and unequal black and white cities in Charlottesville. He quoted figures from the Orange Dot Project and said the City needs thousands of affordable units but refuses to provide income from low-income families, leaving it to the private sector. He said the City does not provide necessary information to analyze stop-and-frisk figures coming from the Police Department.

Mr. Bill Emory, 1604 E. Market St., thanked Ms. Smith and Mr. Huja for their work for the environment here in the City. He said the Franklin St. sidewalk has yet to be built in spite of years of working towards the final project. Franklin was added to the priority sidewalk list in 2010, and Council voted to construct the sidewalk in 2014. Council has legislated on this matter and appropriated funds, but there appears to be an implementation problem.

Ms. Valerie Long, 321 E. Main St., thanked Ms. Smith and Mr. Huja for their years of service to the City. She said she represents the owners of Midway Manor and looks forward to discussing with staff solutions that work for everyone regarding West Main, including residents of Midway Manor.

Mr. Maynard Sipe, land use attorney in Charlottesville, said the changes under consideration for West Main are the most significant considered in many years. He said the proposed changes could stifle investment along West Main Street for years to come. He asked Council to put this on pause and provide another opportunity for all stakeholders to air their concerns. He thanked Mayor Huja and Ms. Smith for their service and accessibility.

Mr. Brandon Collins, 418 Fairway Ave., said it is startling that white children are four times as likely to be diverted from the juvenile justice system as their black counterparts. The data shows that racial disparity still exists. He said the number may have dropped, but the percentage is the same. There is disparity, not just disproportionality.

Ms. Rebecca Quinn, 104 4th St., thanked Mr. Huja for his service over the years, but she said she would like to especially acknowledge Ms. Dede Smith for her work on Council.

Mr. Keith Woodard, 100 W. South St., thanked Councilor Smith for her service. He said it has been a pleasure to work with Mayor Huja, and this community would not be the same without him. He said he will save his comments on appurtenances at West Main for the appropriate meeting.

## **COUNCIL RESPONSE TO MATTERS BY THE PUBLIC**

Ms. Szakos thanked Ms. Carpenter for remembering her friend who has passed, because she knew him and knew he helped out others with homeless issues.

Ms. Szakos said she shared Mr. Fogel's frustration with disparate contact, but she has seen great progress in the past four or five years. She is optimistic that we will continue to make progress; things are better but still not nearly good enough.

Mr. Fenwick thanked Ms. Carpenter for her work and said the Haven is always looking for volunteers, especially this time of the year.

Ms. Smith said Council should explore finding a tool that can be used on West Main that would provide the opportunity to get not just one kind of building, but to introduce some architectural diversity and style. She thanked Mr. Fogel for his comments and said she has her own list of things that did not work well over the past year. A big contributor to disproportionality is literacy, and we need to ensure all children have the same opportunities.

Ms. Galvin said we will ensure a robust conversation about West Main Street next month. She said in response to Mr. Fogel that we have a lot on our plate that we have started and now need to implement, particularly regarding low income housing. Council will receive updates from Mr. Jones in the near future about next steps for the Housing Authority. We are dedicated to making a change for housing, jobs, daycare, and transportation.

Dr. Turner said if Council does not discuss racial profiling, and the police will not adequately discuss it, who will? He said all people are asking for is a discussion.

Ms. Szakos said our Police Chief was one of the first Police Chiefs to open department records regarding racial profiling and is traveling around the state encouraging others to do the same.

At Ms. Smith's request, Mr. Jones gave a brief update on the status of body cameras.

## **CONSENT AGENDA**

- a. Minutes for December 7**
- b. APPROPRIATION: Year End Adjustments - FY2015 and General Fund Balance Transfer (2nd reading)**
- c. APPROPRIATION: Grand Illumination Sponsorship - \$3,500 (2nd reading)**
- d. APPROPRIATION: Virginia Commission of the Arts Challenge Grant - \$5,000 (2nd reading)**
- e. APPROPRIATION: Funds from CATEC (Charlottesville Albemarle Technical**

**Education Center) to the CATEC- IT Networking Academy Project - \$10,000 (2nd reading)**

- f. APPROPRIATION: Helen Williams Loan Payoff to the Charlottesville Affordable Housing Fund - \$13,528.80 (2nd reading)**
- g. APPROPRIATION: Grant for Construction of 250 Bypass Trail - \$461,323 (2nd reading)**
- h. APPROPRIATION: Donation from City Market to Toy Lift - \$460**
- i. ORDINANCE: Adding Veterans Day as a Legal City Holiday (2nd reading)**
- j. ORDINANCE: Alcohol Beverage Production Zoning Amendments (2nd reading)**

Mr. Fenwick asked to discuss item b. regarding Year End Adjustments - FY2015 and General Fund Balance Transfer. He said we were presented a briefing about the \$4.2 million surplus, but he realized this was misleading. He said money has not been spent from the bridge repair fund, which widens the difference between the revenues and the expenses. It does not save money when we do not repair our infrastructure. We never get these bridges repaired until we have to replace them, and that carries a major cost. He asked who gave staff directive not to spend the \$200,000 for bridge repair.

Ms. Szakos said this does not count towards the surplus. Mr. Fenwick asked if the money is located in a bank. Mr. Jones said it is part of our ongoing CIP budget and is in a separate fund for bridge repair. Mr. Fenwick said bridges have been short-changed, and he worries the money will be spent elsewhere.

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

### **REPORT: State of the City**

Mr. Huja presented an overview of 2015 in his State of the City presentation.

Ms. Galvin said she has asked Mr. Engel to provide information about the unemployment rate for the African American community. She asked how we can get this information and why it has not been provided. Mr. Jones said this is not information we generate, but we can contact the Virginia Employment Commission. Mr. Jones said this is a demographic we are spending time on, as evidenced by the GO Programs. Ms. Galvin said we need a baseline so we can see where the trend is heading.

Ms. Smith said this is a great point and cannot be divorced from academic performance, especially literacy. GO Driver requires rigorous training for example, and the struggle is often over literacy.

**REPORT: Disproportionate Minority Contact (DMC) Update**

Mr. Murphy presented to Council on the work of the DMC taskforce. He acknowledged the nine members present tonight who have contributed to the work. The focus has been on implementing recommendations since summer 2014, and significant progress has been made on this front. He distributed a guide to the juvenile court system, which was just printed for distribution.

Ms. Szakos asked if this frames grant proposals and how policy is written. Mr. Murphy said it does, and it also frames the work and studies staff has conducted in the juvenile justice system.

Ms. Szakos said when kids enter the criminal justice system, we have already failed them as a community. We have to examine decision points and make sure we are eliminating discrimination in how those kids are treated, but we also have to look at the root social causes. This is a challenge we should constantly monitor.

Mr. Murphy said he is confident we will be able to say we successfully implemented the current recommendations, but the work is never done.

Ms. Smith said there is a focus on cross-system analysis, and we need to continue looking at this. She said schools are a very important factor.

Ms. Galvin asked if all these findings are available as a tangible report; Mr. Murphy said it is and offered to provide it to Council.

Ms. Smith said we have to figure out how to monitor stop-and-frisk stops and arrests in the adult system as well, because it is even worse there.

Ms. Galvin asked what it would cost for us to do our own adult study. Ms. Smith said there is a lot of data, and regular reports with raw data to monitor changes are important. Mr. Dave Chapman said this would cost \$300,000.

Ms. Smith said we need to get the body cameras in the field. It has been 18 months since we appropriated the money for it. They have been shown to change behavior.

Ms. Galvin asked that this be part of the next budget discussion.

**OTHER BUSINESS**

Mr. Fenwick asked to discuss the RFP for the Belmont Bridge. He said citizens can go to [www.charlottesville.org](http://www.charlottesville.org) for the information from June 16, 2014, with agenda and supporting documents for the enhanced bridge the Council voted on. He said the current RFP is asking for changes and additions right off the bat. Mr. Huja said if you build a bridge for future needs, there should be room for two lanes, even if they are not used right away. Mr. Fenwick suggested pulling the RFP before people start responding to it.

Ms. Galvin said all five Councilors voted to approve a wider road in order to accommodate wider bike lanes. We would be undermining public process on multiple levels and ignoring the reality of the road. It would be inappropriate to start revisiting this point. Mr. Huja said it would be a shame not to build a bridge that allows for future four lane expansion.

Ms. Galvin said this is not on the agenda and should not be voted on tonight. Ms. Galvin asked Ms. Rice to research the minutes from Council's previous discussion and address this in January if necessary.

## **MATTERS BY THE PUBLIC**

Ms. Lena Seville, 808 Altavista Ave., said the City is putting in a lot of high income housing, and she has heard that it will take the pressure off so that other housing will become affordable. However, if demand is so high it will do the opposite. We need to allow room for diversity.

Ms. Nancy Carpenter said there has been a lot of publicity lately about how rent-burdened residents are. Many of us are paying beyond 30% of our income for shelter. There is a shortage of rental housing. Some families have still not recovered from the housing crisis of 2008.

Mr. Jeff Fogel, 215 Spruce St., said staff is afraid to talk about race. The issue is not keeping statistics but doing something about the problem.

Ms. Emily Dreyfus, on behalf of Legal Aid Justice Center, said we need to grapple with the challenging underlying questions, but there are easier things to do as well. We have many miles to go on prevention services. We should talk about mentorship at the DMC Taskforce. We need to find another avenue for finding adult mentors. She asked that we resurface basketball courts in underserved neighborhoods. She said school children need prevention services.

## **COUNCIL RESPONSE TO MATTERS BY THE PUBLIC**

Ms. Smith thanked Ms. Dreyfus for coming. We have mega-programs in this community, and we choose who gets them. The kids who do not have the resources or do not live in the right place are falling through the cracks. We should not bus children out of the City of Promise neighborhood footprint.

Mr. Huja thanked Ms. Rice for her assistance during his tenure as mayor.

Meeting adjourned.