

## **NOTICE OF SPECIAL MEETING**

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Tuesday, January 19, 2016, AT 5:30 p.m. IN THE Second Floor Conference Room.

### **THE PROPOSED AGENDA IS AS FOLLOWS:**

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

BY ORDER OF THE MAYOR

BY Paige Rice

### **SECOND FLOOR CONFERENCE ROOM – January 19, 2016**

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

On motion by Ms. Szakos, seconded by Ms. Galvin, Council voted, (Ayes: Ms. Galvin, Ms. Szakos, Mr. Fenwick, Mr. Signer; Noes: None; Absent: Mr. Bellamy), to meet in closed session for (Discussion of candidates for appointment to City boards and commissions; acquisition of a permanent utility easement along McIntire Road; consultation with legal counsel regarding the negotiation of terms and conditions of an agreement for co-located City – County General District Courts; and consultation with legal counsel for legal advice regarding the acquisition or conveyance of parking spaces in the Water Street Garage.

On motion by Ms. Szakos, seconded by Mr. Bellamy, Council certified by the following vote (Ayes: Ms. Galvin, Ms. Szakos, Mr. Bellamy, Mr. Fenwick, Mr. Signer; 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 – January 19, 2016**

#### **CALL TO ORDER**

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

### **COUNCIL CHAMBERS - January 19, 2016**

Mr. Signer invited Mr. Wendell Santiago to lead the pledge of allegiance.

#### **AWARDS, RECOGNITIONS & ANNOUNCEMENTS**

Mr. Signer announced that item 3 will be deferred at the request of the applicant.

Mr. Fenwick cautioned against a virus from SunTrust.

Mr. Bellamy read guidelines for winter weather and snow removal procedures.

Ms. Szakos announced the community MLK celebration on Sunday, January 24.

Ms. Galvin announced Vortex 2016, a technology event hosted by UVA students.

Mr. Bellamy announced Financial Aid Completion Night on Thursday, January 21 at Jefferson School and the PVCC Center.

Mr. Signer announced monthly open office hours, the first of which will be Thursday, February 4 from 12pm - 1pm in the Mayor's Office at City Hall. Contact the Clerk to reserve a slot at 970-3113 or [ricep@charlottesville.org](mailto:ricep@charlottesville.org).

## **MATTERS BY THE PUBLIC**

Mr. Paul Long, 1410 Grady Ave., said our public transit system is inadequate for the City and surrounding areas. He asked Council to fund a Charlottesville Area Transit System. He recommended installing shelter at all bus stops.

Ms. Jessica O'Tey, 129 Observatory Ave., said she has recently started a group called Open Source Civics Charlottesville (OSCC), which intends to leverage the power of the open source movement to engage in civic problems. The group has identified the distribution of sample ballots to all City voters as an important goal. The sample ballot from the last election was not available on the City's website. OSCC recommended distributing the ballot in a local newspaper the week before the election.

Ms. Robin Hanes, 1709 E. Market St., member of the Charlottesville Area Tree Stewards, said she sent an email regarding a report on the YMCA's progress in McIntire Park. She asked for special protection for trees surrounding the project.

Ms. Nikuyah Walker referenced The Political World of a Small Town, which says local politics often mirror national politics. She said she sees this particularly in the Black community. She recommended dismantling the JADE task force as it is currently run because it has ravaged the Black community. Friendship Court and housing for Black families is another major concern as well as policing and providing equitable defense for indigent clients.

Mr. Eberhard Jehle, 1402 Hazel St., said he is on the Streets That Work Advisory Committee, said it is time to shift focus from level of service to level of mobility, particularly for bicyclists and pedestrians along W. Main Street. He asked Council to ensure bike lanes are brined before snow storms.

Mr. Signer announced that Council will discuss the Landmark Hotel under Other Business this evening.

Mr. Peter Kleeman, 407 Hedge St., said he observed the January 4 meeting on TV-10, and there was very little conversation about the mayoral election. He recommended expanding Council to six members so that no three people can control a vote.

Mr. Louis Shultz, 1809 E. Market St., said Council has failed to follow some of the City's laws and does not have authority to pass some of the ordinances and resolutions they have recently voted on.

Mr. John Heyden, Westwood Ln., said Councilors need to leave their biases behind when they come to Council meetings. He proposed lengthening the time limit for speakers to four minutes.

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

Mr. Fenwick said bus shelters make an incredible difference, particularly in cold weather.

Mr. Bellamy said he appreciated expressions of unity amongst citizens. He asked people to share thoughts on why there is not more participation at City meetings.

Ms. Szakos said we should make participation as easy as possible. Town Hall meetings are a good opportunity to participate without time limits. She said she does not agree that we should expand the three-minute limit at Council meetings. She is interested in the Open Civics group's initiatives and asked them to keep Council apprised of their activities. She asked Mr. Jones to ensure bike lanes are brined before the next storm.

Ms. Galvin said she would like to know more about why judges overrule the opinions of Social Service workers.

Mr. Signer associated himself with the comments of his colleagues and invited Mr. Jones to give a City Manager's update on items from the public comments at the January 4 public comments. Mr. Jones reported that the lights at McIntire, the YMCA, and the replacement lights for the two diamond fields will meet dark sky requirements, as have all field and court lighting installations in the last several years. There will also be permeable pavers predominantly throughout. The Salvation Army is operating a warm room; for specific questions, call 295-4058. The City Attorney's office is working to ensure there are no missing items from Ms. Walker's FOIA request.

Mr. Bellamy thanked Mr. Signer for his leadership.

At Mr. Signer's direction, Mr. Shultz was removed from Chambers for violating the rules of conduct by refusing to cease speaking out of order.

On motion by Mr. Fenwick, seconded by Ms. Szakos, the following appointments were made to Boards and Commissions: to the Social Services Advisory Board – Christine Gough, Amanda Key; to the Historic Resources Committee – Margaret O'Bryant; to the Human Rights Commission – Nancy Carpenter; to the Parks and Recreation Advisory Committee – Elise Cruz,

David Hirschman, Mary Elisa Wilson; to the WRPP – Dustin Greene, Michael Ramsey, Trey Steigman. (Ayes: Ms. Galvin, Ms. Szakos, Mr. Bellamy, Mr. Fenwick, Mr. Signer; Noes: None.)

## **CONSENT AGENDA**

### **a. Minutes for January 4**

### **b. APPROPRIATION: Additional Funding for Benefits Programs - \$89,548 (2nd reading)**

#### Additional Funding for Benefits Programs

### **c. APPROPRIATION: Funding for SNAP E&T(Supplemental Nutrition Assistance Program Education & Training) Pilot Program - \$37,581 (2nd reading)**

#### Funding for SNAP E&T Pilot Program

### **d. APPROPRIATION: Local Emergency Management Performance Grant (L.E.M.P.G.) - \$7,500 (carried)**

#### LEMPG Grant

### **e. APPROPRIATION: Albemarle County Reimbursement for the Charlottesville Albemarle Technical Education Center (C.A.T.E.C.) Department of Education (D.O.E.) Interior Renovation Project - \$33,162.74 (carried)**

#### Albemarle County Reimbursement for the CATEC DOE Renovations

### **f. APPROPRIATION: Albemarle County Reimbursement for the Health Department Facility Condition Assessment Project - \$5,122 (carried)**

#### Albemarle County Reimbursement for the Health Department Facility Condition Assessment Project

### **g. RESOLUTION: Support for Enhanced Credentialing Programs in Virginia**

#### Support for Enhanced Credentialing Programs in Virginia

Ms. Szakos asked to remove the words "The City of" from item g to make the resolution historically accurate. Mr. Bellamy seconded. The motion to edit passed unanimously.

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

**PUBLIC HEARING / ORDINANCE: NEIGHBORHOOD DEVELOPMENT SERVICES (NDS) FEE SCHEDULE (carried)**

Neighborhood Development Services (NDS) Fee Schedule

Ms. Creasy presented to Council. Ms. Creasy noted an error on page one of the graph, where tiered permits were crossed out; it should remain in the materials.

Ms. Galvin asked if these fees will have any impact on the actual cost of housing. Ms. Creasy said we do not anticipate so; many of them are for clarity.

Mr. Signer asked for an explanation of p. 11 and p. 12 regarding fees for a BAR certificate of appropriateness and appeals for the public's edification.

On motion, the public hearing was opened.

Mr. Baylor Fooks said his company is paying a \$1200 fee to go underneath the road to underground facilities. He asked to reclassify their permits or come up with a fee specific to telecommunications conduits.

Ms. Rebecca Quinn, 104 4th St., said it is important for property owners doing work to contribute to the costs incurred, comply with codes, and complete the work in a safe manner. She urged Council to support requests for a comprehensive evaluation from NDS.

Mr. Andrew Grimshall, UVa Professor, said broadband in many countries is considered a basic human right. The current incumbents in that market provide poor service and overcharge. Competition is held up. He asked if there is anything we can do as a City to change this, as the current incumbents have no incentive to compete as long as the new vendors are kept out.

Mr. Maynard Sipe, with Boyd & Sipe, said the purpose of fees is not just to offset the City's costs but can serve a public purpose. The City should absorb much of the costs for some permits, and where SUP application fees are prohibitive for small business owners.

Having no further speakers, the public hearing was closed.

Ms. Szakos asked if it is possible to modify utility rates from the floor. Ms. Creasy said the items in red were the ones advertised, although the chart on the whole was included.

Ms. Szakos asked if this is part of the code audit. She asked when staff next anticipates a review that includes such items as new infrastructure for telecom and a review of small business fees. Ms. Creasy said those specific items can come forward for approval individually much sooner than if it is made part of a comprehensive review.

Ms. Szakos moved to adopt the fee schedule with the amendment Ms. Creasy put forward.

Ms. Galvin asked if fees have been evaluated to bring them more in line with costs as recommended in 2009. Ms. Creasy said this has not been done.

Mr. Bellamy said we need to be careful about assuming what some people can afford..

Mr. Fenwick asked who owns the telephone poles. Ms. Creasy said there are a variety of owners. Mr. Fenwick asked if Mr. Fooks felt he was being used to upgrade telephone poles. He said he did.

Mr. Bellamy seconded the motion. The motion carried.

**RESOLUTION: City of Charlottesville Organizational Efficiency Study Scope of Services Proposal**

**City of Charlottesville Organizational Efficiency Study Scope of Services Proposal**

Mr. Jones presented to Council.

Mr. Bellamy asked when Council would need to have their prioritized list to City staff for the review to inform the RFP. Mr. Jones said this should happen right away and assured Council that staff would come back to them for input before publishing the RFP.

Ms. Szakos asked if there was anything that was specific to Charlottesville in our draft scope of services that would be unusual to find. Mr. Jones said he does not believe so but would have to review what others have done. He confirmed this is a fairly standard efficiency study.

Ms. Galvin asked how this compares to the 2009 study. Mr. Jones said this is much more comprehensive. Ms. Galvin said would it entail the NDS fee schedule; Mr. Jones said he would have to look into this.

Mr. Bellamy asked how much a comprehensive efficiency study would cost. Mr. Jones said he estimates \$90,000-\$100,000.

Mr. Signer asked if the title can be changed to "efficiency and savings study" for clarity.

Ms. Szakos asked if staff expects to find more than \$100,000 in efficiencies. Mr. Jones said we have been found to be a lean organization in the past, and he believes we still are. He does believe we will be able to find savings but said he was not able to guess how much they may find.

Mr. Signer said he wants to be sure this included conferral with Council about priorities and presents Council with savings options, not just the consultants' opinion. He suggested inserting the language, "working with City Council to ensure their priorities are included in determination of efficiency and savings."

Ms. Galvin said this is an organizational review, and the priorities of Council change from Council to Council. We need standards and systems for setting priorities so we can establish our own priorities. This is putting too much on the consultant.

Mr. Signer moved the resolution as written. Ms. Galvin seconded the resolution.

Mr. Fenwick' said we should seek public input in crafting the RFP. He said he has confidence in Mr. Jones, and Council should defer to him for input on the RFP, not the consultants.

Mr. Bellamy said he does not support tasking Mr. Jones with working on the RFP. He said he does not agree that public input is necessary at this stage and would impede the process.

Mr. Jones clarified that public engagement may be included as part of the process and is a service the vendor would provide after the RFP has been published.

Ms. Galvin said she would include "Review the 2009 Efficiency Study" as part of the Scope of Study. She said an outside third party taking a fresh, unbiased look will make us more effective, cost-efficient and proactive. This is a good opportunity to take advantage of new leadership.

Council briefly adjourned for a break at 9:02 p.m. and resumed at 9:15 p.m.

Mr. Signer said he supports solutions over studies, but he supports this proposal. He offered an amendment that Council priorities be included in the RFP, as well as looking at the results of the 2009 study.

Ms. Szakos cautioned her colleagues that there are not untapped pots of money in the City. She is not expecting to find a lot of money in this, but she does expect to find financial efficiencies and operational suggestions. She said she does not support including Council priorities in the RFP.

Ms. Galvin said she would be willing to vote for this with that inclusion provided that it does not add to the price or slow the process.

Mr. Signer withdrew his amendment.

Ms. Galvin moved to amend item #10 to the scope to review the 2009 efficiency study. Mr. Signer accepted the amendment, as did Ms. Szakos.

The vote passed 4-0, with Mr. Fenwick abstaining. (Ayes: Ms. Galvin, Ms. Szakos, Mr. Bellamy, Mr. Signer; Noes: None; Abstain: Mr. Fenwick.)

## **REPORT: HOUSING ADVISORY COMMITTEE (HAC) HOUSING REPORT**

### **Housing Advisory Committee (HAC) Housing Report**

Ms. Kathy McHugh presented to Council.

Ms. Galvin said we will need a viable Housing Authority that has the capacity to buy property and redevelop it. Ms. Galvin said we should track AHIP projects and workforce housing goals. Ms. McHugh said we are tracking goals according to the 2025 Housing Plan. We do not track AHIP projects according to address.

Ms. Szakos recommended waiting until the report from consultants at the February 1 meeting.

Mr. Signer asked where we stand at 10% in comparison to our peer cities. Ms. McHugh said very few cities are tracking this. He asked if peer localities in Virginia also have a 15% goal.

Mr. Ikefuna said staff can collect data in terms of housing preservation, as well as how much we leverage in private investments and other metrics.

### **REPORT: STREETS THAT WORK UPDATE**

#### **Streets That Work Update**

Ms. Heather Newmyer, City Planner in NDS, presented to Council. Amanda Poncy and Missy Creasy were also present.

Ms. Szakos requested that they work with staff on the efficiency study.

Ms. Galvin said this should be made available as a public reference. She asked for an update on the Locust Ave. issues. Ms. Poncy said revised drawings are going back to the neighborhood in the next month.

### **REPORT: YMCA Construction Update**

#### **YMCA Construction Update**

Mr. Kurt Kruger, YMCA Board Chair, presented to Council. Ms. Jessica Maslaney, YMCA CEO, presented a construction update and a fundraising update to Council. She outlined the YMCA's program goals.

Mr. Fenwick asked if all pledges and guarantors have been fulfilled to date. Mr. Kruger said they have been.

Ms. Szakos asked them to respond to the request about trees from Ms. Hanes. Mr. Kruger said there is a tulip poplar tree at one end of the building, which is where the equipment and construction site will be. A silt fence has been installed against the tree. Staff will be as careful as possible to preserve the tree, but they cannot relocate the loading dock and dumpster to the



other side, or they would have to start the process over again with site plan review. Mr. Kruger said he plans to call Ms. Hanes.

## **OTHER BUSINESS - LANDMARK HOTEL**

Mr. Signer said Council is committed to carefully but forcefully working on a resolution to the problem of the Landmark Hotel property. Ms. Lisa Robertson read a proposed resolution.

### **RESOLUTION DIRECTING A DETAILED ACTION PLAN FOR THE LANDMARK HOTEL PROPERTY**

WHEREAS, this Council is concerned that the Landmark Hotel property, which contains a partially constructed building on which no construction has taken place since 2009, is adversely affecting the character of the City, Downtown Historic District and, if not properly monitored, secured and maintained by its owner on an ongoing basis, will further endanger the public health, safety or welfare as it did during the week of January 10, 2016; and

WHEREAS, the current Owner of the property appears to have either no willingness or no ability to complete construction of the development approved by the City in 2008, within any specific time frame;

NOW, THEREFORE, City Council hereby directs the City Manager to prepare a report to Council, containing an analysis of any legal actions (including both civil and criminal proceedings) that City Council might initiate to abate the impacts being caused by the owner's neglect of the property. In preparing the report the City Manager will obtain detailed factual information and opinions from: the City's Building Code, Property Maintenance and Fire Code Officials; the Director of Neighborhood Development Services; the Director of Economic Development, and others as necessary to support initiation of legal action. The City Manager's report shall contain a fiscal and budgetary analysis of any recommended options.

BE IT FURTHER RESOLVED that the City Manager is authorized to engage a professional appraisal of the fair market value property, for use in planning for a public acquisition of the property through condemnation.

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

Mr. Signer thanked the City's legal staff for their hard work on this.

## **MATTERS BY THE PUBLIC**

Ms. Nancy Carpenter, Rose Hill neighborhood, said the housing impact studies from City Lab looks at how public policy affects affordable housing availability. Look for best practices and keep ahead with housing for those who want to work and live here.

Mr. Paul Long, said he is concerned about CAT getting pulled from the streets in the snowstorm this weekend. He asked for a plan for CAT supervisors to check for people waiting for the bus once they have been pulled off route to get them home.

Mr. Brandon Collins, 418 Fairway Ave., said defining affordability is important. Supported housing may not be the best approach. Using median income for Charlottesville will not help find affordable housing. Please consider what demographic you are targeting when considering what is affordable.

Ms. Nikuyah Walker, 503 Druid Ave., said the City should make sure services received by the nonprofits are effective and helping the right people. She said the judge has the authority to overturn DSS decisions, and we need to look at how often this happens and with which families. She said we should look at how temporary is defined when classifying City employees; there is no policy in place for holiday pay.

Mr. Eberhard Jehle, 1402 Hazel St., said the complete streets efforts are all about service to neighborhoods.

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

Mr. Bellamy asked Mr. Jehle if he is willing to help lead the effort. Mr. Jehle said it is City staff and Schools staff place to lead due to the resources required.

Meeting adjourned at 10:49 p.m.