

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, February 1, 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 – February 1, 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: Mr. Bellamy, Ms. Szakos, Mr. Fenwick, Mr. Signer; Noes: None; Absent: Ms. Galvin), to meet in closed session for (1) Discussion and consideration of candidates for appointment to City boards and commissions, as authorized by Virginia Code sec. 2.2-3711 (A) (1); (2) 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, (3) 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) for legal advice regarding the acquisition or conveyance of parking spaces in the Water Street Parking Garage, both as authorized by Va. Code sec. 2.2-3711 (A) (7).

On motion by Ms. Szakos, seconded by Ms. Galvin, 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 – February 1, 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.

Mr. Signer invited Mr. Movel Brown to lead the pledge of allegiance.

AWARDS, RECOGNITIONS & ANNOUNCEMENTS

Mr. Bellamy read a proclamation for African American History Month. He presented the proclamation to Mr. Eddy Harris and Mr. Herb Dickerson.

Mr. Signer announced item 3 regarding 206 W. Market St. and item 4 regarding the Violet Crown movie theater will be deferred at the applicants' request. Mr. David Petit will speak during Matters by the Public regarding the Violet Crown deferral.

Mr. Fenwick announced the City's Father/Daughter Dance on February 5 and 6. Call 970-3260 for more information and to purchase tickets.

Mr. Bellamy announced City Hall will be closed Monday, February 15 for President's Day.

Ms. Szakos announced Charlottesville Area Transit (CAT) Route Changes took effect Saturday, January 30. A free rider's guide may be obtained at www.catchthecat.org or on any City bus.

Ms. Galvin said the Vortex project, a UVA Architecture School effort, served the Preston neighborhood by shoveling snow. She thanked the students of the Architecture School for their civic spirit.

Mr. Signer announced City Market Arts on February 13 from 10am - 4pm at the Carver Recreation Center. Call 970-3371 for more information, or email citymarket@charlottesville.org.

AFTER-ACTION REPORT: SNOW REMOVAL

Mr. Signer invited Mr. Lance Stewart to present the after-action snow removal report.

Mr. Stewart updated Council about the recent snow event and subsequent actions. Plans to expand the processes for major snow events are forthcoming.

Mr. Bellamy said it was unsettling to hear that the priority was placed on the UVA Grounds because it was rush day. He asked to prioritize constituents within the City and asked if staff can improve on this going forward.

Ms. Szakos said we had a lot of comments from people who were frustrated around the City, and she commended the responsiveness of the Public Works Department.

Ms. Galvin said we have become a walking and biking community, and priority pedestrian corridors need to be revisited when we examine our plans going forward.

Mr. Jones said staff will debrief and examine how to tackle the issues the City faced in the wake of the recent snow storm.

Mr. Signer thanked Mr. Stewart for his and his staff's hard work and asked staff to look into whether there is anything that could have been done to address complaints from parents about cancelling the third day of school and the two hour delay on the fourth day.

Mr. Fenwick moved that City Manager prepare a report for staff to present options to Council following their debrief meeting and present to Council at a subsequent meeting, including public comment received. Mr. Bellamy seconded the motion. (Ayes: Ms. Galvin, Ms. Szakos, Mr. Bellamy, Mr. Fenwick, Mr. Signer; Noes: None.)

MATTERS BY THE PUBLIC

Mr. David Petit, 530 E. Main St., representing the Violet Crown Theatre, introduced Bill Bionowski, Chris Nolin, and Mike Cummings. Mr. Petit said their conclusion is that the storefront as it presently stands does not satisfy their expectations in appearance or functionality, and they will return to the BAR to attempt to work out a solution.

Mr. Paul Long, 1410 Grady Ave., said allowing portions of two historic buildings to be removed at 512 W. Main St. will destroy our history. He asked that the City put a moratorium on further development in this corridor until further input has been gathered.

Ms. Olivia Vandewitty, Alexander G., and Christopher Woodfolk, STAB Students, presented on behalf of the students of the Race and Gender class at STAB. They requested more visible recognition for the Vinegar Hill neighborhood, above and beyond the barely visible marker at Water Street. They presented a petition to improve the visibility of the Vinegar Hill sign.

Mr. Jones said the City's Historic Resources Committee has been working with the Office of Human Rights over the past several months to establish a new structure in this area honoring the history of Vinegar Hill.

Ms. Meeka Zolstra, 702 Graves St., Belmont, said she shoveled her sidewalk three times, and was served with a notice that her walks were not properly shoveled. The notice said the infraction was punishable by jail time, fine, or both. This was a result of snow redeposit on her sidewalk from City plows.

Mr. Paul Reynolds, 800 Locust Ave., said two pedestrians have been struck on Locust Ave. in the last four months. He distributed documents to Council logging speeding by private, commercial, and City vehicles. He asked the City to take immediate action to slow down City vehicles to improve safety and save lives.

Pastor Elizabeth Emory, new beginnings Christian Community at 1130 E. Market St., and executive board member of IMPACT, said she is very concerned with women who are struggling with addiction and alcoholism. There is no recovery center for 75 miles in our area. We have a center for men but nothing at all for women. She supports Region Ten's proposal to open up a center that will serve 50 women annually. She invited Council to Nehemiah Action on May 3 at 6:30 p.m. at the MLK Performing Arts Center.

Mr. Dan Rosensweig, 740 Lexington Ave., thanked Council for their continued support for affordable housing and for commissioning the study by RCLCO. He said he does not agree that designating workforce housing is effective. The focus should be on policy changes and marketing intervention. He said the pathway to deviating from the 15% goal would be a

backwards move. We should examine the impact of development proposals on affordable housing.

Ms. Marty Bass, 1808 Barracks Rd., said she supports Mr. Reynolds' report on Locust Ave. as it concerns Barracks Road. Traffic and speed is an issue on Barracks Road, where no one follows the posted 25 mph speed limit.

Mr. Jeffery Fogel said he agrees with Pastor Emory, and we should treat drug addiction as public health issues, not with prison time. The City needs to redouble its efforts in affordable housing. He is disappointed with the request to give \$240,000 to Southern Development and claim it will increase affordable housing options. Most of what the City needs to know is contained in the Orange Dot Project. The public building of housing needs to be discussed. Reliance on the private sector to produce public housing is not going to happen. Vinegar Hill destroyed a community of people, not just buildings.

Ms. Rebecca Quinn, 104 4th St., said Council approved giving Habitat \$225,000 in affordable housing funds to support scattered site down payment assistance with the goal of scattering affordable housing throughout the City and avoiding concentration of housing on the south side of the City. She asked Council to add an explicit statement that this action reverses the July 15 decision and eliminates down payment assistance. She said the resolution states that any future funds for Burnett Commons would be eliminated; this needs more consideration.

Ms. Mary Carey, 100 Ridge St., at Midway Manor, said she grew up in this area, and her friends and their children were displaced in the 1960s. She said the Black communities are being targeted for hotels that serve UVA students. She asked the City to do more for poor people and Black people.

Ms. Colleen Keller, 1872 Field Rd., on behalf of the Free Clinic at 1188 Rose Hill Dr., advocated for the proposal for a renovation of the dental clinic at their current location.

Mr. John Heyden, Westwood Rd., said he does not support spending money on more snow equipment. He said he will not shovel the sidewalk in front of his house because they belong to the City, and enforcement is unfair throughout the City. There is unequal enforcement and favorable treatment of one neighborhood over another.

Ms. Gloria Beard, 1116 Petty St., said the University students came and dug her out after the snowstorm, but the snow plow closed her back in. She asked the City to be mindful of older people after snow storms.

COUNCIL RESPONSE TO MATTERS BY THE PUBLIC

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

Mr. Fenwick thanked Mr. Reynolds for his report. He said he agrees that health issues should not be treated as legal issues. He thanked the community for showing each other courtesy and respect during the recent snow storm.

Mr. Bellamy said we are not taking the issues Dr. Emory presented lightly. He announced several upcoming community events. He said we are working diligently to ensure members of the low income community have affordable housing.

Ms. Szakos asked for an update on what happened with Ms. Zilstra. She thought our snow ordinance had been updated to make it a fine and not a criminal offense, and we need to make sure no one ever gets a citation like that again. She supports Pastor Emory's organization and her initiatives for a women's center, especially allowing them to take their children with them.

Ms. Galvin said she supports a women's health center in the city and is glad Region Ten is taking this seriously. She asked for an update on development plans. She asked staff to take a serious look at Mr. Reynolds' work. She asked staff to look at his proposed resolution to see if it can be incorporated into the Streets That Work Initiative.

CITY MANAGER'S RESPONSE

Mr. Signer said Charlottesville is first out of 38 peer cities on health and welfare spending. We can debate policy execution, but it is clear that we do have priorities. He invited Mr. Jones to give the City Manager's response to Matters by the Public from the previous meeting.

Mr. Jones said Mr. Long suggested installing shelters at all bus stops. CAT currently services 403 bus stop locations, 44 of which have shelters. The cost for additional shelters would be \$3.2 million. Ms. O'Tay suggested distribution of sample ballots in the newspaper in advance of elections. Ms. Bencoach will follow up with her to discuss. Ms. Hanes asked for YMCA tree protection. Mr. Jay Kessler from the YMCA reached out to Ms. Hanes and has scheduled a meeting. Mr. Jehle requested that bike lanes be brined for the upcoming snowstorm, and the City's Public Works teams were careful to do so.

On motion by Mr. Fenwick, seconded by Ms. Szakos, the following appointments were made to Boards and Commissions: to the Thomas Jefferson WRPF, Joe Thompson; to the West Main Steering Committee, Bitsy Waters as the Tree Commission representative; to the Cable Franchise Committee, Mr. Fenwick. (Ayes: Ms. Galvin, Ms. Szakos, Mr. Bellamy, Mr. Fenwick, Mr. Signer; Noes: None.)

CONSENT AGENDA

- a. **Minutes for January 19**
- b. **APPROPRIATION: Local Emergency Management Performance Grant - \$7,500 (2nd reading)**

Local Emergency Management Performance Grant

- c. **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 (2nd reading)

CATEC Renovation Project

- d. APPROPRIATION: Albemarle County Reimbursement for the Health Department Facility Condition Assessment Project - \$5,122 (2nd reading)**

Albemarle County Reimbursement for the Health Department Facility Condition Assessment

- e. APPROPRIATION: Albemarle County Reimbursement for the Preston-Morris Building Envelope Restoration Project - \$34,378.08 (carried)**

Albemarle County Reimbursement for the Preston-Morris Building Envelope Restoration

- f. APPROPRIATION: State Assistance and Citizen Donation for Spay and Neuter Program at S.P.C.A. - \$1,001.64 (carried)**

State Assistance and Citizen Donation for Spay and Neuter Program at S.P.C.A.

- g. RESOLUTION: Free Clinic Renovations to Health Department Building**

Free Clinic Renovations

- h. RESOLUTION: Transfer of Funds for Online Business Tax Portal**

Transfer of Funds for Online Business Tax Portal

- i. RESOLUTION: Declaration of State of Emergency for the City of Charlottesville**

Declaration of State of Emergency for the City of Charlottesville

- j. ORDINANCE: Neighborhood Development Services (NDS) Fee Schedule (2nd reading)**

Neighborhood Development Services (NDS) Fee Schedule

Mr. Fenwick said these fee increases always fall on consumers, but we have to cover the cost for development.

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

Council recessed at 9:01 p.m. and readjoined at 9:13 p.m.

REPORT: COMPREHENSIVE HOUSING ANALYSIS AND POLICY RECOMMENDATIONS

Comprehensive Housing Analysis and Policy Recommendations

Mr. Lee Sobel, Director of Public Strategies, RCLCO, presented to Council.

Mr. Fenwick asked how they classify people according to AMI. He asked how this fits in with LEAP and AHIP. Mr. Bellamy asked about density and whether our only option is to build up. Mr. Sobel said you also have the option to build out with underutilized property ripe for redevelopment. Mr. Bellamy asked how we can keep residents from living in the City instead of moving out the County and commuting in. Mr. Sobel said the opposite of gentrification is planning and taking advantage of revitalization policies.

Ms. Szakos asked if his report shows that we should double down on our 15% affordable housing goal. Mr. Sobel said they have never been asked to look at that benchmark as part of their scope, but it is a great benchmark and would not be a detriment to continue to focus on this goal. Ms. Szakos asked if we ought to depend on the private sector to provide higher-end housing and leave it to public investment to provide affordable housing, or should we support both ends through incentives and investment. Mr. Sobel said there is always a market to work on affordable housing, given the right incentives and investments on the public side.

Ms. Galvin said she wants to understand the idea of releasing supply. If the market provides more of that housing type, the idea is that this would free up more affordable housing. She asked if it would then be available to the workforce housing market. Mr. Sobel said it would help singles and younger couples who want to own to move in. Ms. Galvin asked if there is a desired target of home ownership. Mr. Sobel says there is not. Ms. Galvin asked if the policy recommendations are ranked in order of preference. Mr. Sobel said they are ranked according to what is easy to do and what is more difficult.

Ms. Szakos moved that Council charge the Housing Advisory Committee to look at this report in depth and to work with staff to make recommendations to Council regarding short and long-term policies for implementation in order to increase the share of affordable housing in the City, as well as any policy items that Council should add to their legislative agenda for enabling legislation. The motion was seconded by Mr. Bellamy. Ms. Szakos recommended that the report come back to Council in early fall.

Ms. Galvin said she does not see a concern for workforce housing in lieu of the goal of the 15% affordable housing goal. She said we should examine the full spectrum of housing.

The motion passed. (Ayes: Ms. Galvin, Ms. Szakos, Mr. Bellamy, Mr. Fenwick, Mr. Signer; Noes: None.)

RESOLUTION: BAR Appeal: 1600 Grady Avenue - Preston Court Apartments

BAR Appeal: 1600 Grady Avenue - Preston Court Apartments

Ms. Mary Joy Scala, Preservation and Design Planner for the City, presented to Council. Ms. Lynn Hall Ward, legal counsel for Preston Court Apartments, was also present. Ms. Melanie Miller, BAR Chair, was also present.

Ms. Scala presented a review of the application to Council and answered clarifying questions from Councilors.

Ms. Barbara Lucas, applicant and Facilities Manager at Preston Court Apartments, presented to Council.

Ms. Melanie Miller, Chair of the BAR, presented the BAR's decision to Council. Ms. Laura Knott, BAR Landscape Architect, was also present. She asked Council to uphold the BAR's decision to deny, but she encourage the applicant to come back to the BAR with additional information as requested.

Mr. Signer asked what assurances the BAR can give Council that they will enable this process to be as low cost as possible for the applicant. Ms. Knott said BAR members are willing to meet with her privately to develop a plan. Mr. Bellamy asked if the BAR recommended professionals to the applicant. Ms. Miller said the BAR does not make such recommendations.

Mr. Signer asked the applicant if she would be willing to meet with the BAR members individually as suggested. The applicant said she would not be willing to do so.

Mr. Fenwick moved to uphold the BAR decision. Ms. Szakos seconded the motion.

Ms. Galvin made an alternate motion that would allow the applicant to work with NDS staff to achieve approval of a site plan in order to meet her goals. Mr. Signer seconded the motion. Mr. Bellamy said he disagreed with this approach, as it subverts the process and sends the message that others could do the same.

Mr. Alex Ikefuna, NDS Director, asked if he would have to approve the graded site plan first before the trees are removed. Mr. Signer asked the applicant if she would be willing to work with the NDS Director. She said she would.

Mr. Signer polled Councilors in favor of substituting Ms. Galvin's motion for Mr. Fenwick's motion to uphold the BAR decision. There was not support to do so.

Mr. Signer called for a vote on the original motion. The motion carried. (Ayes: Ms. Szakos, Mr. Bellamy, Mr. Fenwick, Mr. Signer; Noes: Ms. Galvin.)

Mr. Signer asked BAR and staff to reach out to the applicant and work to overcome the trust issues.

**RESOLUTION: CHARLOTTESVILLE AFFORDABLE HOUSING FUNDS (CAHF)
FOR HABITAT SCATTERED SITE DOWN PAYMENT ASSISTANCE IN BURNET
COMMONS III - THE PARK**

Charlottesville Affordable Housing Funds for Habitat Scattered Site Down Payment

Ms. McHugh presented to Council.

Mr. Dan Rosensweig, CEO and President of Habitat for Humanity of Charlottesville, presented to Council at the Mayor's request.

Mr. Rosensweig answered clarifying questions from Councilors.

Ms. Szakos moved the resolution to authorize Habitat to be allowed to utilize CAHF funds. Mr. Bellamy seconded the motion.

Ms. Galvin said she supports this and asked for an after-action briefing on this process. Councilors supported the request. Mr. Fenwick said we have to be careful not to be a lender of last resort. Mr. Signer said the diligence of his colleagues on this item shows the care they take of tax payer dollars.

Mr. Signer called for a vote; the motion passed. (Ayes: Ms. Galvin, Ms. Szakos, Mr. Bellamy, Mr. Signer; Noes: Mr. Fenwick.)

OTHER BUSINESS : Grocery Investment Fund Initiative

Ms. Szakos moved a resolution supporting funding for the Virginia Grocery Investment Fund. The resolution states,

Whereas the City of Charlottesville is a HEAL (Healthy Eating Active Living) City recognized by the Institute for Public Health Innovation, having adopted a HEAL Resolution in May 2013, and

Whereas access to healthy foods in all our neighborhoods is critical to the realization of Healthy Eating and Active Living in our City, and

Whereas it is our understanding that Governor McAuliffe's introduced Commonwealth budget includes \$10 million over two years to establish a funding mechanism for giving financial support through grants and/or low interest loans to potential and existing grocers in underserved areas, creating and expanding healthy food access and related job training;

Therefore we, the City Council of the City of Charlottesville, do support the establishment of the Virginia Grocery Investment Fund, and instruct Mayor Michael Signer to send a letter to our legislators urging them to support this worthy initiative.

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

OTHER BUSINESS: Budgetary Data Request

Ms. Szakos asked Mr. Jones if the request from Mr. Fenwick was overly burdensome and would require Council support. Mr. Fenwick clarified this was an individual FOIA request, not a request on behalf of Council, and he stated that he would work with staff on the matter.

MATTERS BY THE PUBLIC

Mr. Brandon Collins, 418 Fairway Ave., said he is concerned about talk that the City may scale back their 15% goal for affordable housing. He said AMI is an important number when thinking about this issue. This must be put in terms of monthly income and monthly rent.

Ms. Rebecca Quinn, 104 4th St., said her take-away is that the explanation in the Council materials for the Elliott Avenue project was significantly different from the explanation Mr. Rosensweig provided. She said we lose the \$225,000 scattered down payment support either way. She thanked Mr. Bellamy for pointing out the slippery slope when suggesting BAR applicants go to NDS if they are not satisfied with a decision. She said it took legal action to prevent RWSA to pledge City assets. She said Robert's Rules do not require a Chair's permission for a member to abstain.

Mr. Mark Kavit, 400 Altamont St., said he fully agrees with BAR's decision tonight. They have bent over backwards over the years to assist applicants with their applications.

Ms. Nancy Carpenter, Rose Hill neighborhood, said we should make sure UVA is a significant partner in affordable housing discussions.

Mr. Al Page, 806 Page St., said the UVA Baseball Department does not have a single Black player. He said he supports consolidating Albemarle and Charlottesville schools.

Mr. Eberhard Jehle said Public Works did the best job he has seen in years clearing West Main Street. He thanked them for widely brining the streets. He said there is still snow between the Amtrak railroad bridge and 10th Street on the south side, which is shaded. The south side of Preston from Bodos to Washington Park also needs to be addressed. The City should brine widely along primary routes. He asked Council to address speeding along Locust and St. Claire.

COUNCIL RESPONSE TO MATTERS BY THE PUBLIC

Mr. Bellamy said he is speaking with Craig Littlepage tomorrow about the UVA Baseball team. He said Council needs to be careful about the precedent we set with the University. When they become the priority over people who have lived here for decades, we set ourselves up for trouble.

Ms. Szakos said we are only losing \$67,000; the remainder has already gone to scattered housing. She asked Mr. Brown how abstention on votes works. Mr. Brown said he will provide information to Council during the City Manager's response at the next meeting.

Meeting adjourned at 11:25 p.m.