



CITY COUNCIL AGENDA
Monday, November 6, 2017

5:30 p.m.

Closed session as provided by Section 2.2-3712 of the Virginia Code
Second Floor Conference Room

(Consideration of the sale of City-owned property on Second Street, S.E.; discussion of appointments to City boards and commissions; discussion of the annual performance evaluation of the City Manager; discussion of the acquisition of real property on West Main Street for a public purpose.)

7:00 p.m.

Regular Meeting - CALL TO ORDER
Council Chambers

PLEDGE OF ALLEGIANCE
ROLL CALL

AWARDS/RECOGNITIONS Poppy Proclamation (Veterans Day)
ANNOUNCEMENTS Legislative Agenda overview

CITY MANAGER RESPONSE TO MATTERS BY THE PUBLIC

MATTERS BY THE PUBLIC

Public comment is provided for up to 15 speakers at the beginning of the meeting (limit 3 minutes per speaker.) Pre-registration is available for up to 10 spaces, and pre-registered speakers are announced by noon the day of the meeting. The number of speakers is unlimited at the end of the meeting.

1. CONSENT AGENDA*

(Items removed from consent agenda will be considered at the end of the regular agenda.)

Passed 5-0 (Fenwick/Szakos)

a. Minutes for October 16, 2017

b. **APPROPRIATION:** State Of Good Repair (SGR) for bridge repairs –\$10,079,968.00 (2nd of 2 readings)

c. **APPROPRIATION:** Local Contributions for Crisis Intervention Team – \$105,910 (1st of 2 readings)

d. **APPROPRIATION:** Runaway Emergency Shelter Program Grant – \$209,444 (1st of 2nd reading)

e. **RESOLUTION:** Reprogramming of funding for Ambulance Purchase – \$175,000 (1st of 1 reading)

f. **RESOLUTION:** Extension of the Affordable Housing Fund Grant Agreement with Piedmont Housing Alliance's Down Payment Assistance Program (1st of 1 reading)

g. **ORDINANCE:** Proposed Changes to Dog License (1st of 2 readings)

**2. PUBLIC HEARING/
ORDINANCE*:**

Water Street Parking Garage Parking Spaces Lease (1st of 2 readings)
carried (Galvin/Fenwick)

**3. PUBLIC HEARING/
ORDINANCE*:**

Dominion Utility Easement at Ragged Mountain Reservoir (1st of 2 readings)
carried (Szakos/Galvin)

4. REPORT:

FY 2018 – 2020 Strategic Plan and City Council 2017 Workplan

5. ORDINANCE*:

Park Street Planned Unit Development Rezoning Request (1st of 2 readings)
carried (Fenwick/Bellamy) *will go back on regular for discussion 11/20*

6. RESOLUTION*:

901 River Road Special Use Permit for self-storage company (1st of 1 reading)

7. RESOLUTION*:

Downtown Parks Master Plan Review of Scope (1st of 1 reading)

OTHER BUSINESS
MATTERS BY THE PUBLIC

*ACTION NEEDED

APPROPRIATION
State of Good Repair Program - \$10,079,968.00

WHEREAS, a total of \$10,079,968.00 in state funds for the State of Good Repair Program requires appropriation;

WHEREAS, a total of \$0.00 in matching city funds are for the State of Good Repair requires transferring;

WHEREAS, the total appropriation will be allocated to the following projects (and associated project numbers listed below):

- Route 250 Bypass over Route 29 Business - **\$3,847,554**
- Route 250 Bypass over Rugby Ave - **\$2,488,292**
- Route 250 Bypass over Norfolk Southern Railroad - **\$1,303,496**
- Melbourne Road over Norfolk Southern Railroad - **\$2,440,626**

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

\$ 3,847,554	Fund: 426	WBS: P-00953	G/L Account: 430110
\$ 2,488,292	Fund: 426	WBS: P-00954	G/L Account: 430110
\$ 1,303,496	Fund: 426	WBS: P-00955	G/L Account: 430110
\$ 2,440,626	Fund: 426	WBS: P-00956	G/L Account: 430110

Expenditures

\$ 3,847,554	Fund: 426	WBS: P-00953	G/L Account: 599999
\$ 2,488,292	Fund: 426	WBS: P-00954	G/L Account: 599999
\$ 1,303,496	Fund: 426	WBS: P-00955	G/L Account: 599999
\$ 2,440,626	Fund: 426	WBS: P-00956	G/L Account: 599999

RESOLUTION
Reprogramming of Existing Capital Funding for Ambulance Purchase - \$175,000

BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$175,000 is hereby transferred in the following manner:

Transfer From

\$175,000 Fund: 426 WBS Element: P-00920 G/L Account: 599999

Transfer To

\$175,000 Fund: 426 WBS Element: P-00957 G/L Account: 599999

RESOLUTION

Extension of Charlottesville Affordable Housing Fund Agreement with the Piedmont Housing Alliance for the Down Payment Assistance Program for the Orangedale and Prospect Neighborhood

WHEREAS, the City of Charlottesville awarded for a pilot demonstration program to Piedmont Housing Alliance for the purpose of providing down payment assistance and home repairs to potential homebuyers within the Orangedale and Prospect Neighborhood; and

WHEREAS, the City of Charlottesville approved an extension of the program grant agreement through July 30, 2017; and

WHEREAS, between December 2016 and September 2017, Piedmont Housing Alliance successfully used 67 percent of the program funds to provide down payment assistance and home repair grants to four homebuyers;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the grant agreement for the Piedmont Housing Alliance's Down Payment Assistance Program for the Orangedale and Prospect neighborhood be extended through July 30, 2018.

RESOLUTION: To fully interpret key downtown public spaces within the City of Charlottesville, north of the historic Downtown Pedestrian Mall and east of the historic McGuffey School, in keeping with the recommendations of the Blue Ribbon Commission on Race, Memorials and Public Spaces (BRC) such that a more complete history of race relations is told and the City’s commitment to truth, freedom and equity is affirmed.

WHEREAS the Charlottesville City Council made a clear commitment to reveal and tell the full story of Charlottesville with regards to race through its public spaces when it established the BRC in August 2016; and

WHEREAS the BRC’s Final Report acknowledged that far too often our public spaces and histories have ignored, silenced or suppressed African American history, as well as the legacy of white supremacy and the unimaginable harms done under that cause; and

WHEREAS the Ku Klux Klan rally at Justice Park (formerly Jackson) on July 8, 2017 and the Unite the Right rally at Emancipation Park (formerly Lee) on August 12, 2017 and the ensuing violence perpetrated by white supremacist and neo-Nazi groups, served to amplify the original purpose of the Robert E. Lee and “Stonewall” Jackson statues as symbols of racial oppression, overwhelmingly directed towards African Americans, but now also immigrants, refugees, Hispanics, the LGBTQ community, and religious minorities like Jews and Muslims;

WHEREAS the City’s key downtown public parks within the area north of the historic Downtown Pedestrian Mall and east of the historic McGuffey School, currently contain the Robert E. Lee statue in Emancipation Park, the Stonewall Jackson statue in Justice Park, the slave auction block in the area known as Court Square (an area that may have also played a role during the Reconstruction era and been home to the Freedman’s Bureau);

WHEREAS it is the will of the Charlottesville City Council that the Robert E. Lee statue be relocated (as per a 3:2 majority vote by City Council on February 6, 2017) and the “Stonewall” Jackson statue be relocated (as per the 5:0 unanimous vote by City Council on August 21, 2017,) to either a battlefield or a museum outside of the City limits pending Virginia Court decisions and/or changes in the Virginia Code; and

WHEREAS the exact date of the removal of the Robert E. Lee and “Stonewall” Jackson statues is as yet unknown and may take considerable time to be resolved by the Courts and General Assembly of the Commonwealth of Virginia, but the need to change the narrative surrounding these statues and tell the full story of race through our City’s public spaces is immediate.

BE IT RESOLVED that the City Council of Charlottesville directs staff to:

Develop a two-phased Master Plan [herein referred to as the Interim and Final Master Plan] for the redesign of the Emancipation (formerly Lee) and Justice (formerly Jackson) parks and the Jefferson Madison Regional library (JMRL) front and side yards (in collaboration and coordination with the JMRL) in accordance with the following goals by phase;

- PHASE I-Interim Master Plan (to begin immediately, prior to the removal of the Lee and Jackson statues):
 - Engage the community at large in a comprehensive discussion about the purpose, meaning and character of Charlottesville’s downtown public spaces, including but not limited to addressing issues such as;

- What are the community's values and how should they be reflected in our public parks and civic institutional spaces like libraries and court houses?
 - What is the purpose of Emancipation and Justice Parks?
 - Are they memorial spaces (who or what to memorialize?)
 - Are they outdoor museums (what stories should they tell?)
 - What is the appropriate character and scale of community gathering and event spaces in the City's downtown parks and can Emancipation and Justice Parks be made to accommodate those parameters in light of our community's values?
 - Engage the community in a manner that ensures the City's underrepresented populations are fulsomely included in the process, as well as the Board of Architectural Review (BAR) the Historic Resources Commission, the Human Rights Commission, the University of Virginia, the PLACE Design Task Force, Planning Commission and City Council.
 - Ensure that a facilitator (s) with demonstrated expertise in the history of the American South and African Americans, social equity, urban design and urban redevelopment issues is an integral part of the consultant team, and that said facilitator(s) leads a community engagement process in a manner that elicits authentic feedback from the entire community such that it genuinely informs the work of the design and technical professionals on the consultant team.
 - Provide a well-designed and coherent interpretation of the Lee and Jackson statues that will promote an honest and complete narrative of Charlottesville's past and aspirational future in the near-term, knowing that Emancipation and Justice Parks will eventually be more fully redesigned subsequent to the removal of both the Lee and Jackson statues.
 - Replace the current plaque at the slave auction block with one that is more prominent and legible;
 - Investigate the relevance of the Court Square area to the Reconstruction era and if affirmed, recommend a method of acknowledgment.
 - Work with the Equal Justice Initiative (EJI) to appropriately place and install the EJI lynching marker to commemorate the July 12, 1898 lynching of John Henry James, an African American from Charlottesville.
 - Create plans for the rehabilitation of the most severely deteriorated landscapes within Emancipation and Justice Parks and the grounds surrounding the Jefferson Madison Regional Library (in collaboration and coordination with the JMRL), knowing that Emancipation and Justice Parks will eventually be more fully redesigned subsequent to the removal of both the Lee and Jackson statues.
- PHASE II-Final Master Plan (to begin, subsequent to the removal of the Lee and Jackson statues):
 - Build on the shared understandings developed through Phase I's extensive community engagement process to create new comprehensive designs for Emancipation and Justice parks without the Lee and Jackson statues in place that would include but not be limited to;
 - A new memorial to Charlottesville's enslaved population within Justice Park in keeping with the recommendations of the BRC while retaining its ability to function as a community gathering space, and
 - Exploring opportunities within Emancipation Park to interpret history through artwork such as murals or other public art forms, in keeping with the recommendations of the BRC while retaining its ability to function as a

community gathering space as well as exploring opportunities for a new memorial within Emancipation Park should such a public aspiration arise in the course of Phase I's community engagement process.

- Fully interpret Charlottesville's downtown public parks in keeping with the BRC's recommendations such that a more complete and coherent history of race is told and the City's commitment to truth, freedom and equity is affirmed.

BE IT FURTHER RESOLVED that a Request for Proposal (RFP) for PHASE I-Interim Master Plan for professional services in the areas of community process facilitation, landscape architecture, urban design, art and history shall be developed within 60 days of the adoption of this Resolution, in consultation with community and stakeholder groups chosen by the City Manager as directed by the City Council (including but not limited to the Jefferson School African American Heritage Center, the University of Virginia, the PLACE Design Task Force, the Human Rights Commission and the Historic Resources Commission).

BE IT FURTHER RESOLVED that the scope of the RFP for PHASE I-Interim Master Plan shall:

- Require that the successful bidder provide at least two preliminary interim Master Plan options with both statues in place, for each park within the downtown public parks precinct, inclusive of new site plans, elevations and sections, 3D visualizations, and specifications for signage, screening, commemorative plaques, lighting and landscape elements as appropriate throughout Emancipation and Justice Parks so as to create a more honest, complete and coherent narrative of Charlottesville's past and aspirational future without running afoul of present Virginia laws prohibiting the movement or tampering of statuary and monuments that could be construed to be war memorials in a Virginia Court of Law.
- Lead to concrete deliverables that will have immediate visual impact including but not limited to:
 - short-term projects that are art-based,
 - new and changing interpretive panels in keeping with the Court's injunctions,
 - the rehabilitation of the most severely deteriorated landscapes in both parks and the library grounds, and
 - the removal and replacement of the black plastic shrouds with a more meaningful and artful treatment that would reveal the complete meaning of the statues while safeguarding them from vandalism.
- Establish a timeline to be completed within 12 months of contract signing.
- Not preclude the future development, design and implementation of the PHASE II- Final Master Plan as adopted by a future City Council.
- Be given three months to prepare responses from the date of issuance of the RFP.
- Be funded up to \$1,000,000.00 for the completion, fabrication and installation of the PHASE I and PHASE II-interim Master Plan inclusive of community engagement, developing and completing schematic design options and design development drawings, construction documents, the new interpretive installations in both the Emancipation and Justice Parks and rehabilitating the most severely deteriorated landscapes in both parks and the library grounds, knowing that Emancipation and Justice Parks will eventually be more fully redesigned subsequent to the removal of both the Lee and Jackson statues.

BE IT FURTHER RESOLVED that during PHASE I, fundraising efforts for the PHASE II- Final Master Plan shall begin under the direction of the City Manager or the City Manager's designee as approved by the City Council, along with possible additional funding from Council, such that a

comprehensive redesign and reconstruction of the downtown public parks without the Lee and Jackson statues, inclusive of construction documents, fabrication and installation of all new permanent plaques and memorials* or monuments is fully funded and realized.

BE IT FURTHER RESOLVED that the scope of a separate RFP for the PHASE II-Final Master Plan shall be developed in consultation with the aforementioned community and stakeholder groups, and issued immediately after a date certain for the removal of the Lee and Jackson statues has been secured either through the Courts or the Virginia General Assembly.

BE IT FURTHER RESOLVED that sometime prior to PHASE II, the Board of Architectural Review (BAR) shall meet to vote on the removal of both statues as required by Charlottesville City ordinances, so that there is no procedural delay in removing the statues, pending Virginia Court decisions and/or changes in the Virginia Code.

*The actual design of a new memorial to Charlottesville's enslaved population (and an as yet to be determined additional memorial in Emancipation Park) in keeping with the recommendations of the BRC, shall be determined by an independent process (including but not limited to a design competition) in PHASE II. (*Resolution offered by Councilor Galvin, November 6, 2017*)