

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, November 20, 2017, AT 6:30 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 – November 20, 2017

Council met in special session on this date with the following members present: Ms. Galvin, Mr. Signer, Mr. Bellamy, Mr. Fenwick, Ms. Szakos. On motion by Ms. Szakos, seconded by Mr. Fenwick, Council voted, (Ayes: Ms. Szakos, Ms. Galvin, Mr. Signer, Mr. Fenwick, Mr. Bellamy; Noes: None;) to meet in closed session for the sale of a portion of City-owned right-of-way at the west end of the Downtown Mall, where discussion in an open meeting would adversely affect the City's bargaining position, as authorized by Virginia Code sec. 2.2-3711 (A) (3).

On motion by Ms. Szakos, seconded by Mr. Bellamy, Council certified by the following vote (Ayes: Ms. Galvin, Ms. Szakos, Mr. Fenwick, Mr. Bellamy; Noes: None; Absent at time of vote: Mr. Signer), 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 - November 20, 2017

ROLL CALL

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

AWARDS/RECOGNITIONS & ANNOUNCEMENTS

Ms. Galvin invited Ms. Helen Cauthen forward to speak about the GO Program. For more information, visit govirginia9.org.

Ms. Galvin read a proclamation recognizing Small Business Saturday. Ms. Joan Fenton was present to accept on behalf of the Downtown Business Association.

Ms. Szakos read an announcement about voter turnout this year and congratulated Ms. Walker and Ms. Hill on their election win.

Ms. Szakos announced Grand Illumination, Toy Lift and Holiday Market on the Downtown Mall next Friday, December 1.

Mr. Signer announced that the Unity C-Ville fundraiser was successful. Contact the Helpline at (434) 234-4490 between 11am and 2pm weekdays for requesting assistance with funds. He also announced free parking downtown during the holiday season.

Mr. Bellamy thanked the community for participating in the turkey give-away at First Baptist Church this weekend. He also announced personal property taxes are due. He invited the community to participate in the City's budget process by going to charlottesville.org/budget and clicking on "Balancing Act" to submit feedback. Contact budget@charlottesville.org for more information.

Mr. Bellamy requested a moment of silence for the five year anniversary of the disappearance of Sage Smith.

Mr. Fenwick announced the "Imagine a Day Without Water" art contest winners. He also announced the navigator hotline for healthcare through the Legal Aid Justice Center. Please call the navigator line at (434) 220-1496 for more information and to seek assistance. He also announced the Dialogue on Race will hold a special voting meeting on December 11 at 6:30 p.m. at the Jefferson School. All are welcome to attend. Call 970-3023 for more information, or visit Facebook [@charlottesvillehumanrightscommission](https://www.facebook.com/charlottesvillehumanrightscommission).

Ms. Galvin thanked Ebenezer Baptist Church for providing turkey dinners for those in need this past weekend. She also acknowledged Officer Todd McNerney for his recent promotion.

MATTERS BY THE PUBLIC

Ms. Szakos read the guidelines for participating in Matters by the Public.

Ms. Madeline Conger, City resident, ceded her time to Kim Rolla with Legal Aid Justice Center (LAJC) and Tamara Wright with the Public Housing Association of Residents (PHAR.) They read a letter recommending the dissolution of the Police Citizens Advisory Panel and creating an independent Police Community Review Board.

Mr. Evan Brown, City resident, ceded his time to Mr. Don Gathers. Mr. Gathers said a group has recently brought forth a suit regarding the covering of the statues. He said we need to be prepared to answer these types of suits, and we need answers. We are 100 days out from August 12, and we still do not have answers; we need real leadership. He said the developers on Dairy Road looks like another attempt at gentrification. He asked the City to be prepared for another attempt at a take-over by outsiders.

Mr. Dave Ghamandi seconded the need for a truly independent police review board. He congratulated Ms. Nikuyah Walker on winning a Council seat. He said the consent agenda contains a give-away to Dewberry, which is another assault on the poor. He asked Council to reject the bid, and let him lease from the Charlottesville Parking Center instead.

Ms. Kristen Schroder ceded her time to Ms. Rosia Parker. Ms. Parker read an excerpt regarding the national anthem and an excerpt regarding slavery. She said she was offended that Mr. Signer received an award defending democracy.

Mr. Richard Lloyd, County resident, ceded his time to Ms. Pat Napoleon, Lyons Ave. She said she is the petitioner for Rise Charlottesville calling for the recall of the five City Councilors. She reviewed the reasons for her petition. She asked people to visit RiseCville.com for more information.

Ms. Emily Dreyfus, with Legal Aid Justice Center (LAJC), shared her time with Alia Henry. She also clarified that the Rise Cville's agenda is to keep the Confederate statues in place. Ms. Henry spoke on behalf of the Low Income Housing Coalition calling for solutions to the affordable housing crisis. She said the Form-Based Code Institute should cease its work in Charlottesville until a comprehensive affordable housing policy has been crafted. She said the Land Bank hearing tonight is another example of a lack of community-involved planning.

Ms. Tracy Riffel, business owner on the Downtown Mall, said the City is delinquent in giving proper notification notices regarding street closures. She reviewed responses given by staff since summer 2015. She said she is addressing concerns through the proper channels, yet no change has occurred. She said the most recent violation during the Virginia Film Festival was the most egregious.

Mr. David Caron said tomorrow is the anniversary of Floyd Lawson's murder in Charlottesville. Mr. Bobby Reauveau, a great tattoo artist, was also killed early this year, as well as Mr. Jay Shifflett, whose killer still has not been arrested. He said the City needs to keep this alive. There should be emergency boxes. The murders all took place in low-wealth communities, and we need to do something to address this.

Ms. Mary Carey, City resident, said she is depressed because she knew Sage Smith from birth. She said she saw Sage Smith the day of her disappearance, and she was not alone, in contrast to what she has heard from the police. She spoke against the renaming of Lee Park to Emancipation Park and said the City should start over again. She said the City should find a place for the homeless to go if they are worried about them sleeping on benches in the parks.

Ms. Kathleen Free, Park St., spoke against the proposed nursing home on Park Street. She said MACAA Headstart must be supported by the community and cannot be determined by a profit-driven corporation, who intends on locating them at a site not befitting their use. She said the project leaves too many questions unanswered.

Ms. Robin Bryant, Jason Shifflett's mother, said he was gunned down two years ago in Belmont. She said the former police chief said the FBI would be involved, but they have not been. The Commonwealth has told her that the only way her son's case will be solved is if the FBI is involved. She implored Council to direct the Chief of Police to involve the FBI.

Mr. John Hossack, Davis Ave., spoke against the MACAA proposal and reviewed his objections.

Ms. Katrina Turner ceded her time to Ms. Gloria Beard. Ms. Beard said the JAUNT bus schedule is a problem for people who need service more than once a week.

Mr. Rex Lyndell thanked the City for their Moore's Creek acquisition, which is on tonight's consent agenda.

Ms. Szakos asked Mr. Jones to follow up on the Water Street road closures, Ms. Bryant's request, and the Nelson County JAUNT service.

Mr. Jones spoke to the Water Street road closure, which was put into place by the City Police Department as an added security measure. Staff has discussed their concerns about the lack of notification, and he explained the steps that have taken place. A plan has been put into place for addressing safety needs when it comes to events on the mall. Mr. Jones said he will get in touch with the FBI and will keep Ms. Bryant apprised. He gave an update on JAUNT service.

Ms. Galvin said a joint City Council / Planning Commission in October requested information on height requirements for developers. She said the density bonus does not ask for adequate contributions to the housing fund. Mr. Brown said he will follow up with Ms. Robertson on this matter.

Mr. Fenwick requested an update at the next Council meeting on contingency plans for if and when outside groups return to the City. He discussed updating the permitting process and said we have to be ready for if and when these groups return. He said he understands the community's desire for more information; his website, August12.space provides information. Several reviews are forthcoming, including from the state, Mr. Heaphy, and the police department.

Mr. Bellamy said the governor's office released emergency rules for rallies at the Richmond Lee monument and asked if the City can consider similar measures. He said the Low Income Housing Coalition requested data on demographic changes and asked for follow-up on their request. He said Mr. Caron's suggestion about emergency boxes in different parts of the City should be explored.

Ms. Szakos said she was at a session at the National League of Cities meeting and heard a talk from an expert regarding white supremacy events; he suggested creating an "extraordinary events" ordinance.

Mr. Signer said the report from Mr. Heaphy is scheduled for the December 4 Council meeting.

CONSENT AGENDA

- a. Minutes for November 6, 2017**
- b. APPROPRIATION: Local Contributions for Crisis Intervention Team - \$105,910**

(2nd reading)

[Local Contributions for Crisis Intervention Team](#)

WHEREAS, the City of Charlottesville, through the Thomas Jefferson Crisis Intervention Team and the Charlottesville Police Department, receives from local agencies \$105,910 per fiscal year;

WHEREAS, the City of Charlottesville, through the Thomas Jefferson Crisis Intervention Team and the Charlottesville Police Department, receives from other local agencies, funding to support Crisis Intervention Team programs;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the lump sum of \$105,910, received from local Agencies is hereby appropriated in the following manner:

Revenues: \$105,910

\$88,410	Fund: 209	Cost Center: 3101003000	G/L Account: 432080
\$17,500	Fund: 209	Cost Center: 3101003000	G/L Account: 434410

Expenditures: \$105,910

\$79,825	Fund: 209	Cost Center: 3101003000	G/L Account: 519999
\$26,085	Fund: 209	Cost Center: 3101003000	G/L Account: 599999

BE IT FURTHER RESOLVED, by the Council of the City of Charlottesville, Virginia, that this appropriation is conditioned upon the receipt of funding by the participating agencies listed above.

c. APPROPRIATION: Runaway Emergency Shelter Program Grant - \$209,444 (2nd reading)

[Runaway Emergency Shelter Program Grant](#)

WHEREAS, the City of Charlottesville has been awarded \$200,000 from the Department of Health and Human Services Administration for Children and Families with cash match of \$9,444 provided by the Human Services Fund and in-kind match of \$12,778 provided by ReadyKids;

WHEREAS, the funds will be used to operate the Runaway Emergency Shelter Program through a partnership between the Human Services Department and ReadyKids. The grant award covers the period from September 30, 2017 through September 29, 2018;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$209,444 is hereby appropriated in the following manner:

Revenue – \$209,444

\$200,000	Fund: 211	Internal Order: 1900293	G/L Account: 431110
\$ 9,444	Fund: 211	Internal Order: 1900293	G/L Account: 498010

Expenditures - \$209,444

\$ 69,948	Fund: 211	Internal Order: 1900293	G/L Account: 519999
\$115,000	Fund: 211	Internal Order: 1900293	G/L Account: 530010
\$ 24,496	Fund: 211	Internal Order: 1900293	G/L Account: 599999

Transfer - \$9,444

\$ 9,444	Fund: 213	Cost Center: 3413003000	G/L Account: 561211
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BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$200,000 from the Department of Health and Human Services Administration for Children and Families.

- d. APPROPRIATION: Additional Funding for Employment not Welfare (VIEW) Program - \$22,881 (Carried)**

[Additional Funding for Employment not Welfare \(VIEW\) Program](#)

- e. APPROPRIATION: Check and Connect Student Engagement Continuation Grant - \$110,250 (Carried)**

[Check and Connect Student Engagement Continuation Grant](#)

- f. APPROPRIATION: Charlottesville City Schools' Check and Connect Student Engagement Grant - \$50,000 (Carried)**

[Charlottesville City Schools' Check and Connect Student Engagement Grant](#)

- g. RESOLUTION: MCI 5th Street Land Acquisition**

[MCI 5th Street Land Acquisition](#)

**RESOLUTION
APPROVING THE ACQUISITION OF LAND NEAR
FIFTH STREET STATION PARKWAY
FOR EXTENSION OF THE CITY GREENBELT TRAIL SYSTEM**

WHEREAS, MCImetro Access Transmission Services of Virginia, Inc. (“MCImetro”), the owner of a parcel of land identified on City Tax Map 21B as Parcel 47, has indicated a willingness to convey a portion of their land (designated as Parcel X on the attached plat made by Draper Aden Associates, dated June 3, 2015, last revised June 19, 2017) to the City of Charlottesville for greenbelt trail purposes; and

WHEREAS, a Real Estate Purchase and Sale Agreement for the conveyance of said land has been reviewed and approved by the City Attorney; and

WHEREAS, as a condition of closing, MCImetro has agreed to grant an easement across their property to the City (shown on the attached plat) for the purpose of maintaining a portion of the existing private stormwater pipe on MCImetro property that serves to direct stormwater through Parcel X and into Moore's Creek; and

WHEREAS, the City's Parks and Recreation Department seeks the endorsement of City Council to proceed with the purchase of the above-described land at a purchase price of \$13,000.00, which is well below the City Assessor's valuation of the land;

NOW, THEREFORE, BE IT RESOLVED that this Council hereby authorizes the purchase of a parcel of land (0.2910 acre) designated as Parcel X on a plat by Draper Aden Associates, dated June 3, 2015, last revised June 19, 2017, located near Fifth Street Station Parkway, for extension of the City's greenbelt trail system. The City Manager is hereby authorized to execute a purchase agreement, in form approved by the City Attorney, and the City Attorney shall take whatever actions are necessary to effect the acquisition of the above-described land and easement, pursuant to the terms and conditions set forth in the aforementioned purchase agreement.

h. RESOLUTION: Discontinue Drought Warning Stage Restrictions

[Discontinue Drought Warning Stage Restrictions](#)

**RESOLUTION
DECLARING THAT DROUGHT WARNING STAGE RESTRICTIONS
ARE NO LONGER IN EFFECT**

WHEREAS, on October 11, 2017 the Charlottesville City Council imposed mandatory water restrictions as set forth in Charlottesville City Code Sec. 31-125; and

WHEREAS, rainfall measurably improved the water levels in the urban reservoirs that supply water to the City; and

WHEREAS, water conservation measures were embraced by the community; and,

WHEREAS, the Department of Environmental Quality cooperated with the Rivanna Water and Sewer Authority to implement certain operational measures; and

WHEREAS, on November 14, 2017 the Rivanna Water and Sewer Authority announced the Authority's Drought Warning was discontinued and requested that the Charlottesville City Council declare that mandatory water restrictions are no longer required; and,

WHEREAS, City Code sec 31-125 provides that Drought Warning Stage Restrictions shall remain in effect until City Council determines that a water emergency in the City of

Charlottesville no longer exists;

NOW, THEREFORE, BE IT RESOLVED by the Council for the City of Charlottesville, Virginia that a water supply emergency within the City of Charlottesville no longer exists, and the mandatory water restrictions imposed on October 11, 2017 are no longer in effect.

i. ORDINANCE: ~~Water Street Parking Garage Parking Spaces Lease (2nd reading)~~
PULLED

j. ORDINANCE: Proposed Changes to Dog License (2nd reading)

[Proposed Changes to Dog License](#)

AN ORDINANCE AMENDING AND REORDAINING SECTION 4-37 OF ARTICLE III OF CHAPTER 4 (ANIMALS AND FOWL) TO ESTABLISH A LIFETIME DOG LICENSE

Ms. Szakos said she wants to be on the record as opposing item i. regarding the parking garage leased spaces. Mr. Bellamy said he also opposes this item.

Mr. Bellamy requested that this item be pulled for discussion.

Ms. Szakos moved to adopt the consent agenda without item i. Mr. Bellamy seconded. The consent agenda passed. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Signer, Mr. Bellamy, Mr. Fenwick; Noes: None.)

PUBLIC HEARING/ORDINANCE: ABANDON PORTION OF GAS EASEMENT IN DUNLORA PARK SUBDIVISION (Carried)

[Abandon Portion of Gas Easement in Dunlora Park Subdivision](#)

Ms. Lauren Hildebrand presented to Council.

Mr. Signer opened the public hearing; having no speakers, the public hearing was closed.

Ms. Szakos moved to adopt the ordinance; Ms. Galvin seconded the ordinance. The ordinance carried.

PUBLIC HEARING / ORDINANCE: VACATE SEWER EASEMENT AT 600 BRANDON AVE (UVA) (Carried)

Ms. Lisa Robertson, Chief Deputy City Attorney, presented to Council.

Mr. Signer opened the public hearing; having no speakers, the public hearing was closed.

On motion by Ms. Galvin, seconded by Ms. Szakos, the ordinance carried.

PUBLIC HEARING/ORDINANCE: LAND BANK CORPORATION PLAN (vote deferred)

[Land Bank Corporation Plan](#)

Ms. Brenda Kelley, Redevelopment Manager, presented to Council and answered clarifying questions. Ms. Szakos asked for more clarification on the distinctions before the second reading. Mr. Fenwick asked for an opportunity for more public input. Mr. Jones suggested deferring the second reading if Council wishes to seek more public input. Council supported this suggestion.

On motion, the public hearing was opened.

Mr. Brandon Collins, PHAR, said he has been looking into what a land bank corporation can and cannot do. He said the community needs a comprehensive conversation about public housing strategies, and he was disappointed to see this on tonight's agenda for a public hearing. He said there is not a rush on the land bank decision.

Mr. Jason Vandever, Greenbrier Dr., serves as the City's Treasurer. He called the Council's attention to section 6B regarding obligation of general City revenue to a specific purpose, which he said is not a wise precedent to set. This ordinance would mandate funding of the land bank regardless of need or whether they were achieving Council's goals. He recommended including this in the ABRT process.

Mr. Dave Ghamandi, County resident, said this is a public/private partnership, and those never benefit poor people. Affordable housing is just one of the priorities for the land bank. He said the board should be populated with people this is meant to serve, and currently none of the proposed board members fit that description. Citizens need to lead this process. He said he is more in favor of a land trust, not a land bank, which would better ensure housing built on these properties would remain affordable for generations.

Mr. Michael Payne, 1830 Oxford Rd., said this could be an interesting tool, but it could be used for good or bad. He said non-profit housing should sit on the board and argued against the existence of a conflict of interest issue, given the other suggested board members. He recommended putting land in a trust so that it remains affordable for a long period of time. He called Council to acknowledge the Dewberry Hotel has failed and suggested condemning the property and putting it into a land bank.

Mr. Dan Rosensweig, 740 Lexington Ave., said this mechanism has a lot of merit. He thanked Council for putting a pause on this matter and said Council should return this to the Housing Advisory Committee (HAC) for their recommendation. He said at least one person serving on the board should be directly accountable to the public, such as a Council member. Someone from the low income community should be represented as well. Conflicts of interest may be overcome by disclosing interests.

Mr. Paul Long, 1410 Grady Ave., said it is wrong to have bankers and REALTORS on the board but not low income people.

Ms. Joy Johnson, 802 Hardy Dr., said she agrees with several of the previous speakers. She said "community" does not mean staff people at City Hall. She asked if this is a way to circumvent the Housing Authority. She said this must deal with people at 50% AMI and below.

Mr. Don Gathers said on the surface, this looks and sounds good, but the process is flawed before this has even gotten started. There are people dealing with this on a daily basis that need to be included on this committee.

Ms. Nancy Carpenter said this is not a City with a lot of blight, so the property you will be buying is from people with tax delinquencies. She said we should examine whose properties we sell for tax delinquencies.

Ms. Lena Seville said this should be a community-involved process from the beginning. There is a wealth of knowledge in this community, and they should have been involved with writing this. She recommended dedicating money to the affordable housing fund so they can decide if the land bank is meeting the City's goals.

Mr. Walt Heinecke, 1521 Amherst St., said the City has good ideas but it continues to miss the central piece of gathering public input and listening to people in the community. He said the City should use their AAA bond rating to solve the affordable housing problem.

Having no further speakers, the public hearing was closed.

Council called a recess at 9:05 p.m. and returned to open session at 9:20 p.m.

Mr. Signer alerted the public that the draught restrictions have been lifted, per the consent agenda item.

Ms. Szakos recommended suspending discussion on this matter, conducting more public engagement and sending this back to the HAC, then following up on a later date.

Ms. Galvin thanked Ms. Kelley for doing the research and bringing this forth. The longer we wait without a vehicle for banking land for affordable housing, the more affordable housing will be out of our reach. She said there may be ways this can be used to strengthen and partner with the Housing Authority.

Mr. Signer said he is interested in Mr. Ghamandi's point about a trust being part of the discussion.

Ms. Galvin asked when Council could see this again. Mr. Jones said likely early 2018. Ms. Galvin said she would like to know a recommended process so that there is a timeline. Mr. Bellamy said this would need to be coordinated with the low income equity plan.

Council deferred action on this matter to a later date, following the suggested steps.

RESOLUTION: IMPLEMENTATION PLAN FOR THE CHARLOTTESVILLE LANDLORD RISK REDUCTION FUND - \$75,000

[Charlottesville Landlord Risk Reduction Fund](#)

Dr. Stacy Pethia, Housing Program Coordinator, presented to Council. She answered clarifying questions for Council on the proposed resolution.

Ms. Szakos moved to allocated \$75,000 with an amendment to ensure that the court costs that might be borne by the tenants be borne by the City if they come as a result of the strategy. Mr. Bellamy seconded the motion. He asked to make sure we understand that just because someone needs a voucher does not mean they will damage a property.

Ms. Szakos asked staff to explore ways to link this to requirements for deposit. Mr. Brown asked for clarification; Ms. Szakos said the City will guarantee the down payment amount, where required.

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

RESOLUTION

Allocation of Charlottesville Affordable Housing Fund (CAHF) for the Charlottesville Landlord Risk Reduction Fund (CLRRF) – \$75,000

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$75,000 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund (CAHF) to the Charlottesville Landlord Risk Reduction Fund (CLRRF).

Fund: 426 Project: CP-084 G/L Account: 530670

Charlottesville Landlord Risk Reduction Fund (CLRRF) \$75,000

REPORT: LEGISLATIVE PACKAGE REVIEW

RESOLUTION: REGIONAL LEGISLATIVE PACKAGE

RESOLUTION: LOCAL LEGISLATIVE PACKAGE

Mr. David Blount presented to Council on the regional legislative package.

[Legislative Package Review](#)

Mr. Signer asked about the Chesapeake Bay Act. Ms. Szakos said the City can pass this with the exception of the Chesapeake Bay Act. Mr. Bellamy said he is interested in approaching the state for resources to address issues of those in marginalized communities. Ms. Szakos suggested Mr. Bellamy serve as the TJPDC Council representative next year.

Ms. Szakos moved to adopt a statement supporting the TJPDC legislative agenda with the exception of the Chesapeake Bay Preservation Act. Ms. Galvin seconded. The motion passed. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Signer, Mr. Bellamy, Mr. Fenwick; Noes: None.)

Ms. Lisa Robertson presented to Council on the Charlottesville City Council legislative position statements for the 2018 General Assembly session and answered clarifying questions.

Ms. Galvin confirmed that the safety provision will not prohibit sales. Ms. Szakos said she does not support speed cameras, but she does support asking that they be given the right to make that decision locally. Ms. Szakos said she wants to participate and encourage a City-run lobby bus. Mr. Fenwick asked for direction on giving the City authority to control or monitor threats received over social media. Ms. Robertson said she was not sure how that could be controlled.

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

REPORT: POLICE CIVILIAN REVIEW BOARD RECOMMENDATION

[Civilian Review Board Recommendation](#)

Mr. Mike Murphy, Assistant City Manager, presented to Council. He turned the presentation over to members of the Police Citizen's Advisory Panel.

Mr. David Simmons, Chair of the Charlottesville Police Citizen's Advisory Panel, Ms. Tara Hodges, and Ms. Heather Walker, came forward to address Council and answer questions. Mr. Simmons said the City has not provided the current panel with the support they needed to perform their assigned tasks. He said he believes a civilian review board would be adversarial and create more distrust in the community. He said a Public Information Officer as requested by Chief Thomas is imperative.

Councilors shared their perspectives on the Panel's recommendation. Ms. Szakos supported convening a small body to brainstorm while staff conducts research on the matter as well.

Ms. Walker shared the Panel's experience with being trained to conduct a stop and frisk evaluation, and then being denied access to the police department's records at the behest of the Commonwealth's Attorney.

Ms. Galvin called for the creation of a Citizen's Review Board task force, which could include members of the Panel, Human Rights Commission, and a selection of signatories to the LAJC letter.

Mr. Signer polled Council on where they stand with this matter. Mr. Fenwick said he supports giving the Panel a chance to move forward with the proper tools. Mr. Bellamy said he supports starting fresh. Ms. Szakos said we need more than what we have. Mr. Signer said he supports starting fresh as well.

Mr. Signer asked Mr. Jones for direction going forward. Mr. Jones said convening a panel with a variety of members is not unprecedented, and we can move forward with this directive. He said the issues the panel has raised regarding resources are very important to consider by staff and Council. Mr. Jones said staff can convene the group in three to six months.

Mr. Bellamy said he supports appointing a Police Citizen's Review Board and allowing them to determine what their bylaws and process would be.

Mr. Bellamy made the following motion:

Be it Resolved that the Charlottesville City Council hereby directs the City Manager and his staff to dissolve the existing Charlottesville Police Citizens Advisory Panel; and

Be it Further Resolved that the Charlottesville City Council hereby directs the City Manager and his staff to create a Citizen Review Board (CRB) with representatives from the community that will be appointed by the city council based on an open application process for all community members. This dissolving of the CPCAP will include a community-focused process that will lead to the creation of a new CRB, in lieu of the Charlottesville Police Citizens Advisory Panel, with the following charges:

- Have the ability to work with local law enforcement to listen to and address community complaints
- Have the ability to investigate community complaints
- Understand the implications of the events of May 14, July 8 and August 12 in Charlottesville;
- Explore and outline possible new structures;
- Regularly engage all segments of the public, inclusive of the City's minority and low wealth communities, on this topic from start to finish of this process; and

Be it further resolved that the CRB will present its "CRB drafting body" recommendations with all necessary ordinances and by laws needed for implementation to City Council within three (3) months of the date of this Council directive for adoption.

Ms. Szakos recommended giving a six month window instead of three. Mr. Bellamy accepted the recommended change. Ms. Szakos seconded the motion.

Mr. Signer said he would support this if it were called the Initial Citizen Review Board.

Ms. Galvin said we are being asked to appoint a board whose membership, purpose and mission we do not know.

Mr. Signer recommended calling this a task force and then giving members of the task force priority to serve on the board once it becomes a Citizen's Review Board. Mr. Bellamy said we do not need to create a body to tell this board what to do; it needs to be truly independent and pointed out that Council has to vote on the bylaws anyway.

Ms. Szakos made the following motion:

Be it resolved that the Charlottesville City Council hereby creates an initial Citizen Review Board with representatives from the community who will be appointed by the City Council based on an open application process for all community members by December 31st.

Mr. Bellamy recommended seven members for the initial board appointments made by Council. Mr. Signer recommended asking staff to draft a resolution for the consent agenda at the next Council meeting. Ms. Galvin said we need more structure on these decisions.

Ms. Szakos said she would vote for this tonight, but she is comfortable waiting two weeks, as long as Council is committed to moving forward with the initial citizen review board rather than a task force. Mr. Signer confirmed that Council will move forward with placing this on the consent agenda for December 4.

Council took a brief recess at 11:05 p.m. and reconvened at 11:16 p.m.

ORDINANCE: PARK STREET PLANNED UNIT DEVELOPMENT REZONING REQUEST (2nd reading)

[Park Street Planned Unit Development Rezoning Request](#)

Mr. Craig Brown, City Attorney, presented to Council. He reviewed options for addressing the item, given the applicant's revised proffer statement submission, which came in since the first reading at the November 6 meeting. Council can decline to consider the new proffers and proceed to make a decision on the second reading; continue the rezoning application to a future meeting date and conduct an additional public hearing on the modified statement; or refer the application and the modified proffer statement back to the Planning Commission for a joint public hearing.

Mr. Signer called a vote for Council's support on whether or not to move forward with the motion as it stands. The motion failed. (Ayes: None; Noes: Ms. Szakos, Ms. Galvin, Mr. Signer, Mr. Bellamy, Mr. Fenwick.)

Ms. Galvin moved to deny the rezoning, as it is not good planning practice. Mr. Fenwick seconded the motion. Ms. Galvin offered further explanation for her motion.

The vote was called; the motion failed. (Ayes: None; Noes: Ms. Szakos, Ms. Galvin, Mr. Signer, Mr. Bellamy, Mr. Fenwick.)

REPORT: INCARCERATION DIVERSION OPPORTUNITIES FOR LOW RISK OFFENDERS

[Incarceration Diversion Opportunities for Low Risk Offenders](#)

Mr. Mike Murphy, Assistant City Manager, presented to Council and answered clarifying questions for Council.

Mr. Fenwick made a motion to allocate funding from the Council priorities fund, and from year end instead if available. Ms. Szakos seconded; the motion passed. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Signer, Mr. Bellamy, Mr. Fenwick; Noes: None.)

ORDINANCE: WATER STREET PARKING GARAGE PARKING SPACES LEASE (2nd reading)

[Water Street Parking Garage Parking Spaces Lease](#)

Mr. Brown reviewed the item for Council and answered clarifying questions on options for responding to the bid. The City does have the right to reject all bids.

Mr. Signer said if we do not move forward, a chain hotel may go in, or the space will remain unfinished. Ms. Galvin said we cannot leave this space as is, and the City would be held responsible for demolition if it comes to that. Mr. Fenwick said he does not like dealing in this manner, pulling back from an agreement that we seemed to be moving forward on. Ms. Szakos said she agrees, but this bid was not reflective of the discussions that were taking place. She suggested rejecting this because it is too low and reopening the bid process.

Mr. Signer said he has great misgivings about this, but he will unenthusiastically vote in support. Ms. Galvin said the bottom line is that we need to move forward on the deal. Ms. Signer called for the vote. The motion passed. (Ayes: Ms. Galvin, Mr. Signer, Mr. Fenwick; Noes: Ms. Szakos, Mr. Bellamy.)

AN ORDINANCE AUTHORIZING THE LEASE OF SEVENTY-FIVE (75) DESIGNATED PARKING SPACES IN THE WATER STREET PARKING GARAGE

OTHER BUSINESS

Ms. Szakos said she and Mr. Bellamy would like to present at the next Council meeting on what they learned from the NLC Conference. Council agreed.

Mr. Signer said the County sent a letter expressing support for allowing the elected bodies to appoint an elected official to the CACVB and restructure the board. Council supported Mr.

Signer signing the letter on behalf of Council. The Clerk will prepare the letter and distribute to the appropriate parties.

Mr. Signer asked if the City could weigh in on skyrocketing health care premiums by writing letters to pertinent parties. Ms. Szakos said it is important we take a stand on this. She asked to include a reaffirmation of the support of the expansion of Medicaid and for funding of children's health insurance. Ms. Galvin said we should check into any possible assistance we could give to small businesses to alleviate the cost burden. Mr. Signer said Legal Aid can help people who qualify by calling the Navigator hot line. Ms. Szakos said subsidies are available for people who are under 400% of the federal poverty level.

Ms. Galvin asked staff to finalize the tax bill letter. Mr. Jones assured Council staff would do so.

MATTERS BY THE PUBLIC

Ms. Nancy Carpenter said the landlord mitigation fund is a step in the right direction, but it does not necessarily need to be enacted because of a punitive step against the tenant. There may be unintended consequences due to hardships. She said the process should include giving the tenant a letter they can submit to the credit bureau to make sure there is a mechanism to give the tenant notification that a judgment has been paid.

Mr. Brandon Collins, 1000 Preston Ave., PHAR, said in order for the landlord risk reduction program to be effective from the landlord's perspective, it means taking a low income person to court. The City should explore other avenues for holding a landlord accountable. He asked Council to take a more aggressive approach to inclusionary zoning in their legislative package. He said the Civilian Review Board discussion was a total mess.

Ms. Joy Johnson, 802 Hardy Dr., said people in her neighborhood are frustrated because when they file a complaint with the police, they do not get an answer, which causes more distrust. She said the independent review board needs to draft their own bylaws.

Mr. Cliff Hall said his shirt, which had a dollar sign on it, says it all.

Ms. Szakos said we have public support to push for inclusionary zoning, and we could probably take buses to Richmond to lobby for this. Ms. Galvin asked Mr. Jones to organize a meeting with Del. Toscano and Deeds.

Meeting adjourned at 12:27 a.m.