

COUNCIL CHAMBER - August 5, 2019**ROLL CALL**

The Charlottesville City Council met in regular session on Monday, August 5, 2019, with the following members present: Mayor Nikuyah Walker, Vice Mayor Heather Hill, Dr. Wes Bellamy, Ms. Kathy Galvin, and Mr. Mike Signer.

ANNOUNCEMENTS/PROCLAMATIONS

Dr. Bellamy requested a moment of silence for the recent shootings in El Paso, Texas, and Dayton, Ohio, which were fueled by white supremacist ideology.

Ms. Galvin requested a moment of silence for Ms. Karenne Wood of the Monacan Indian Nation, who passed away.

Mr. Signer presented the Welcoming Week Proclamation to Russ Linden of Welcoming Greater Charlottesville. Welcoming Week is September 13 – 20, 2019.

Ms. Galvin presented a Resolution in Support of Ratification by Virginia of the Equal Rights Amendment to the United States Constitution. Members of the Charlottesville Chapter of the National Organization for Women were present to accept the resolution.

ERA resolution 2019 City of Charlottesville**CONSENT AGENDA***

Ms. Walker opened the floor for public comment on the Consent Agenda.

Ms. Kat Mabry on behalf of Indivisible Charlottesville asked that Item "k" be removed from the Consent Agenda.

Ms. Molly Conger spoke of reservations about Item "k", advising that the ordinance is too vague.

Mr. Jeff Fogle of Belmont echoed Ms. Conger's concerns. He also spoke about the 50% increase in funding for the study of disproportionate minority contact, which he believes the consultant is not using to study the police department.

Mr. Don Gathers spoke in opposition to Item "k". He asked Mr. Blair to review the amendments.

Mr. Blair reviewed the proposed changes.

Mr. John Hall spoke of a form from Parks and Recreation for holding an event or rally, advising that it outlines prohibited items.

Ms. Nancy Carpenter spoke in opposition to Item "k".

Ms. Walker pulled Items "k" and "m" from the consent agenda, seconded by Dr. Bellamy.

Clerk of Council Kyna Thomas read the consent agenda items into the record.

a. MINUTES: May 20 Regular Meeting, June 3 Regular Meeting, June 6 Joint Meeting - Board of Supervisors

May 20, 2019 Draft Minutes

June 3, 2019 Draft Minutes

June 6, 2019 Draft Minutes - Joint meeting

b. APPROPRIATION: Highway Safety Improvement Program - Appropriation of funds for Pedestrian Connections within Hillcrest/Birdwood Neighborhood - \$708,932 (2nd reading)

APP Hillcrest 061719 Final

c. APPROPRIATION: Virginia Juvenile Community Crime Control Act Grant (VJCCCA) -\$452,704 (carried)

APP_FY20 VJCCCA Appropriation \$452,704

d. APPROPRIATION: Study of Disproportionate Minority Contact in the Adult Criminal Justice System - \$55,400 (2nd reading)

APP_DMC STUDY - Human Services \$55,400

e. APPROPRIATION: Charlottesville Student Victim Outreach Program Department of Criminal Justice Services Victim of Crimes Act Grant - \$245,428 (2nd reading)

APP_HUMAN SERVICES DCJS GRANT \$245,428

f. APPROPRIATION: Virginia Department of Transportation Grants for Water Street Trail - \$115,257 (2nd reading)

APP WaterStreet Trail TAP Appropriation-July2019SupplementTransfer

g. APPROPRIATION: Virginia Department of Transportation Primary Extension Paving Project Funds - \$633,442 (carried)

APP VDOT Primary Ext Paving Funds FY20 \$633,442

h. RESOLUTION: Welcoming Greater Charlottesville funding request - \$4,100

Welcoming Week Resolution - \$4,100

Ms. Walker expressed that itemized expenses should be presented for future requests.

i. APPROPRIATION: Thomas Jefferson Area Crisis Intervention Team Training Grant - \$20,708 (carried)

Crisis Intervention Team DBHDS funding FY2020 - \$20,708

j. APPROPRIATION: Moving from Foster Care to Adulthood Rental Assistance Grant - \$300,000 (carried)

FY2020 Fostering Futures Rental Assistance Grant \$300,000

k. This item pulled for separate vote.

l. ORDINANCE: Renewing Lumos Networks Inc. - Telecommunications Franchise (2nd reading)

Lumos Telecom Franchise Memo and Agmt

m. This item pulled for separate vote.

n. ORDINANCE: Amending and Re-enacting City Code Chapter 11, Article IV- Director of Finance (carried)

Ordinance Re: Finance Director

On motion by Dr. Bellamy, seconded by Ms. Hill, Council voted 5-0 (Ayes: Ms. Walker, Ms. Hill, Dr. Bellamy, Ms. Galvin, Mr. Signer; Noes: None), to APPROVE the Consent Agenda minus items “k” and “m”, which were pulled for separate consideration.

k. ORDINANCE: Amending and Re-enacting City Code Chapter 18, Article III - Special events (2nd reading - tabled)

ORD Amend Special Events Ordinance

This item was pulled from the Consent Agenda by Ms. Walker. Mr. Blair gave clarification about wording.

Dr. Bellamy asked clarifying questions about definitions in response to concerns brought forth by the public. He asked of the possibility of tabling this item, pending further development of the ordinance.

Ms. Galvin asked for more time to consider the changes.

On motion by Dr. Bellamy, seconded by Ms. Galvin, Council voted 3-2 (Ayes: Ms. Walker, Dr. Bellamy, Ms. Galvin; Noes: Ms. Hill, Mr. Signer) to table this item to the August 19 Council meeting, for more time to consider changes.

m. ORDINANCE: 750 Hinton Ave rezoning (2nd readings)

Hinton Ave UMC Rezoning

Mr. Alex Ikefuna , Neighborhood Development Services Director, came forward to provide clarification about the affordable housing component for 750 Hinton Avenue and the benefits to the City.

On motion by Ms. Galvin, seconded by Ms. Hill, Council voted 5-0 (Ayes: Ms. Walker, Ms. Hill, Dr. Bellamy, Ms. Galvin, Mr. Signer; Noes: None), to APPROVE the 750 Hinton Avenue rezoning request.

On motion by Ms. Hill, seconded by Ms. Galvin, Council by the following vote appointed Mr. Jay James to the Albemarle-Charlottesville Regional Jail Authority: 5-0 (Ayes: Ms. Walker, Ms. Hill, Dr. Bellamy, Ms. Galvin, Mr. Signer; Noes: None). This seat is a joint City/County seat.

CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)

Dr. Richardson responded to a concern from Ms. Chapman, who asked if the City could conduct a CO2 inventory every two years. He advised that it is possible and the City is in the process of implementing software that takes raw data and puts it into a more understandable format. He advised that from that, the goal is to ensure that the data is placed into an interactive dashboard on the City website so that users can see information as the City reduces its carbon footprint.

COMMUNITY MATTERS

Mr. Harold Folley spoke in support of the initial Police Civilian Review Board (CRB). He asked City Council to guard against watering down the CRB, and to provide funding. He ceded his time to Ms. Marissa Turner-Harris of the People's Coalition, who asked for Council's support of the CRB.

Ms. Katie Zhang and Shaalini Desai, students at UVA spoke about sustainability in Charlottesville, and the use of Styrofoam, which does not degrade. They asked Council to consider establishing a ban or regulation on the use of Styrofoam containers.

- Mr. Blair and Mr. Signer advised of the Dillon Rule State laws that prohibit the City from passing laws that have not been permitted by the State.

Mr. Paul Long ceded his time to Ms. Nancy Carpenter, who spoke in support of the work done by the Civilian Review Board, and encouraged Council to support.

Mr. Brandon Morsberger advised that the Skate Park needs lights. He also suggested that a commercial development proposed for Rose Hill Center underground parking should not be supported.

Ms. Kate Fraleigh spoke in support of the CRB being independent. She addressed comments from Police Chief Brackney in an article. She focused on disproportionate minority contact.

Ms. Andrea Massey spoke in support of strong CRB and ceded her time to Mr. Luis Rabiola, who spoke about the need for a strong CRB, particularly regarding immigrant rights.

Ms. Tanesha Hudson referenced a letter that she sent regarding a Unity Days event that she is sponsoring, requesting additional funding. She stated that in going to obtain her permit, there were mostly white males in the room. She spoke about perceived race problems with the hiring process for the City, noting that she applied for a position just to see what would happen.

- Dr. Bellamy spoke about the Unity Day event funding request.

Mr. John Hall spoke about including Stop sign arms on public buses. He also spoke about the definition of “psychotic intent”.

Ms. Mary Carey spoke in support of the CRB.

Ms. Adrienne Dent spoke about the resolution for 209 Maury Avenue. She advised that Land Use Map decisions be led by the Comprehensive Plan. She also spoke about students who wanted to have the pool schedule extended, but had to leave because of inappropriate language being used in Council Chamber.

Mr. Larry Scott spoke as a voice for future Habitat for Humanity homeowners. He asked Council to support the development of Flint Hill.

Ms. Katrina Turner spoke about personal complaints involving the police department and the Chief of Police.

Ms. Colette Blount, Gordonsville resident who owns property in the City of Charlottesville, spoke about the Greenleaf Center Clinic proposal and language in the City Code that should be updated. She shared a survey with Councilors. She advised that the zoning is not appropriate.

Ms. Sena McGill spoke to encourage a strong CRB. She also mentioned the petition from students for the Washington Park Pool to stay open. The students left the meeting early because of behavior from other meeting participants.

Ms. Abby Guskin spoke in support of a strong CRB.

Ms. Gloria Beard spoke in support of a Stop light at 10th and Page Streets instead of a caution light. She spoke about a program to have students help senior citizens with issues such as snow removal. She asked if anyone has thought of a place for seniors to go for entertainment.

The meeting recessed at 8:22 p.m.

The meeting reconvened at 8:46 p.m.

RESOLUTION*: 209 Maury Avenue Comprehensive Plan amendment - Future Land Use Map

Resolution Re: 209 Maury Avenue Comprehensive Plan

City Attorney John Blair guided Council through this item, advising that the applicant has submitted proffers subsequent to the last reading of the item. He advised that the request would need to be referred back to the Planning Commission.

Mr. Alfele asked for clarification on whether Council would like for the applicant to go back and re-engage the public. Council agreed.

On motion by Ms. Galvin, seconded by Ms. Hill, Council voted 5-0 (Ayes: Ms. Walker, Ms. Hill, Dr. Bellamy, Ms. Galvin, Mr. Signer; Noes: None), to refer the Resolution back to the Planning Commission, with the applicant to include public engagement based on new information.

APPROPRIATION*: City Schools hiring of teachers for push-in gifted program - \$468,000 (2nd reading)

Schools Equity Request \$468,000 - Gifted Programs

Ms. Rosa Atkins, Superintendent of Charlottesville Schools, presented the request and advised that the presentation would demonstrate additional equity issues that will be addressed by the program. She advised that the request will support eight additional teachers and that five of the eight teachers have already been hired.

Ms. Bev Catlin presented the proposed gifted model, Pathways to Gifted Education.

Ms. Atkins advised of equity efforts that address: Supported and Supportive Staff; Growing Relationships; Diverse, Inclusive and Rigorous Learning; and Equity Foundations.

Ms. Galvin and Ms. Hill requested that the School Board be proactive in moving forward with future budget requests during the budget cycle. Ms. Atkins advised that the School Board reached a point in its research when they were able to make the request for additional funds and thought it was important to make a request sooner rather than wait another year.

On motion by Dr. Bellamy, seconded by Ms. Galvin, Council voted 5-0 (Ayes: Ms. Walker, Ms. Hill, Dr. Bellamy, Ms. Galvin, Mr. Signer; Noes: None), to APPROVE the appropriation of \$468,000 from the Council Strategic Initiatives Funds – Equity Allocation and the Citywide Reserve Fund to the Charlottesville City Schools.

APPROPRIATION

APPROPRIATION OF \$468,000.00 FROM THE COUNCIL STRATEGIC INITIATIVES FUND – EQUITY ALLOCATION - AND THE CITYWIDE RESERVE FUND TO THE CHARLOTTESVILLE CITY SCHOOLS

BE IT RESOLVED, by the Council of the City of Charlottesville, Virginia that the sum of \$468,000.00 is hereby appropriated from the Council Strategic Initiatives Fund – Equity Allocation and the Citywide Reserve Fund to the Charlottesville City Schools.

- \$312,000.00 will be appropriated from the Citywide Reserve Fund (105 –1631001000)
- \$156,000.00 will be appropriated from the Council Strategic Initiatives Fund – Equity Allocation (105-1011001000)

ORDINANCES*/ RESOLUTION*: Flint Hill Planned Unit Development

(1) Consideration of an Ordinance granting the vacation of Keene Court and a portion of Flint Drive (2nd reading)

(2) Consideration of an Ordinance granting a rezoning to allow development of the Flint Hill Planned Unit Development (2nd reading)

(3) Consideration of a Resolution granting a Critical Slope Waiver to allow development of the Flint Hill Planned Unit Development (2nd reading)

Flint Hill - REVISED rezoning Ordinance

Flint Hill - street vacation, rezoning, critical slope waiver request

Mr. Blair guided Council through the options for moving forward.

The applicant, Mr. Charlie Armstrong, gave a summary of changes made to the request. At the request of Ms. Hill, Mr. Armstrong described parking.

Councilors Bellamy, Galvin and Walker expressed reservations about the development.

Responding to Mr. Signer, City Planner Matt Alfele gave an explanation of the current zoning and proposed zoning. He advised that the PUD zoning is a higher standard.

Mr. Signer asked to hear from staff about interpretation of the affordable housing study.

Ms. Walker advised of the need to be strategic about development of housing for lower income residents.

Mr. Alex Ikefuna, Neighborhood Development Services Director, shared study information.

On motion by Ms. Galvin, seconded by Dr. Bellamy, Council voted 5-0 (Ayes: Ms. Walker, Ms. Hill, Dr. Bellamy, Ms. Galvin, Mr. Signer; Noes: None), to DENY the street closure and critical slopes waiver.

RESOLUTION*: Authorizing submittal of a Preliminary Information Form for River View Farm and the Carr-Greer Farmhouse (Ivy Creek Natural Area)

Carr-Greer Farmhouse Resolution

Mr. Blair presented the request.

On motion by Ms. Galvin, seconded by Ms. Hill, Council voted 5-0 (Ayes: Ms. Walker, Ms. Hill, Dr. Bellamy, Ms. Galvin, Mr. Signer; Noes: None), to authorize submittal of a Preliminary Information Form for River View Farm and the Carr-Greer Farmhouse (Ivy Creek Natural Area).

RESOLUTION

In Support of Nominating River View Farm and the Carr-Greer Farmhouse (Ivy Creek Natural Area) for Listing on the Virginia Landmarks Register and the National Register of Historic Places

WHEREAS, the City Council of the City of Charlottesville, through its Vision Statement, the City's Comprehensive Plan and the City's Strategic Plan has recognized the value of preserving and protecting historic and cultural resources; and

WHEREAS, the City Council wishes to encourage such efforts; and

WHEREAS, the River View Farm and the Carr-Greer Farmhouse located at the Ivy Creek Natural Area are significant relative to their connection to local African-American history; and

WHEREAS, the City is a co-owner of the Ivy Creek Natural Area and thus a steward in the preservation and protection of the River View Farm and the Carr-Greer Farmhouse; and

WHEREAS, the Ivy Creek Foundation (IFC) is preparing and will submit to the Virginia Department of Historic Resources (VDHR) a Preliminary Information Form (PIF) in order to determine eligibility of River View Farm and the Carr-Greer Farmhouse for listing on the Virginia Landmarks Register and the National Register of Historic Places; and

WHEREAS, the IFC has requested the City's consent to prepare and submit the PIF;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Charlottesville, Virginia endorses this effort and authorizes the City Manager, after consultation with staff and the City Attorney's approval as to form, to sign the PIF prior to its submittal to VDHR.

The meeting recessed at 9:51 p.m.

The meeting reconvened at 10:01 p.m.

REPORT: Police Civilian Review Board presentation

Initial Police Civilian Review Board Presentation

Members of the initial Civilian Review Board came forward to present the report. Ms. Sarah Burke reviewed materials that were provided to the City and are available to the public for review. She also advised of recommendations that are being made for paid staffing, board membership and funding.

Members took turns reading portions of the cover letter submitted to City Council: Ms. Katrina Turner, Ms. Sarah Burke, Mr. Josh Bowers, Mr. Guillermo Ubilla, Ms. Gloria Beard and Ms. Rosia Parker.

The board requested that at least one City Council member will move the CRB recommendations forward.

Mr. Ubilla presented the Police Civilian Oversight Overview and Recommended Next Steps.

Ms. Walker thanked the initial CRB for its efforts. She described what a possible timeline would look like and advised that a September worksession is being planned to invite the Fairfax County CRB and staff from Fairfax County to meet with the City Attorney, City Council and the Chief of Police to give an understanding of what a CRB would look like once in place. A potential date in October was proposed for presenting to the public. Ms. Walker volunteered to take on the effort to move the CRB forward.

Each Councilor expressed thanks to the initial CRB. Ms. Galvin also thanked the Police Chief.

Ms. Beard asked for consideration of a stipend for each CRB member, using leftover funds from their budget.

REPORT: Unity Days report

Unity Days Report

Mr. Brian Wheeler, Director of Communications and Charlene Greene, manager of the Human Rights Commission reviewed scheduled events. Over eighty events were scheduled through Unity Days this year between May and August.

Chief Brackney advised that the Night Out event was moved up to September. She also discussed safety and security with events in a variety of places in the City rather than concentrated in one location, noting that the perimeter is more flexible than last year. She reminded everyone to remain vigilant.

Mr. Wheeler thanked the action committee.

OTHER BUSINESS

Dr. Bellamy advised that he was interested in supporting the funding request from Ms. Tanesha Hudson. Mr. Wheeler advised that the Reclaim Concert has been allocated \$15,000. Ms. Hudson iterated that the request is for funds to bring a celebrity to Charlottesville for the African-American community.

Mr. Signer mentioned setting a precedent for procurement procedures. He also advised of three off-budget requests that have been honored.

Dr. Bellamy shared that this Unity Days event would provide a social opportunity that has been missing in the African-American community in Charlottesville. He advised that the funds could come from the Equity Fund.

Ms. Galvin stated that the \$35,000 request exceeds Council's discretionary amount of \$25,000.

Pursuant to Council procedures approved at the July 31, 2019 Council Retreat, Dr. Bellamy motioned to extend the Council meeting to 11:30 p.m. The motion was seconded by Ms. Hill. Council voted unanimously to extend the meeting from 11:00 p.m. to 11:30 p.m.

Dr. Bellamy made a motion to support the request with funds from the Equity Fund. With no second, the motion was not considered for vote.

MATTERS BY THE PUBLIC

Ms. Adiola Ogunkeyede of the Legal Aid Justice Center asked questions about Council comments post-CRB report. She asked for clarification around meeting to happen with the

Fairfax CRB. Ms. Walker advised that the intention of the meeting would be so that Council would have a full understanding. Ms. Ogunkeyede advised that the initial CRB are the experts for this community and should be further consulted with questions rather than Council reaching out to another CRB. She expressed concern that the future process would not be transparent.

Mr. Josh Bowers spoke about consulting the Fairfax CRB and questions that could be asked that would add value.

Ms. Sarah Burke gave the name of Richard Schott, Auditor for the Fairfax CRB, who may serve as a resource for Council. She also advised that staff from NACOLE training would be willing to serve as a resource.

Mr. Harold Folley spoke of disappointment in overhearing someone say they had to leave Charlottesville to experience black culture.

Ms. Nancy Carpenter spoke about overspending for public safety in August 2018.

Mr. Cliff Hall spoke about creating contacts.

Mr. Wasch asked about who paid for repairs at the Pavilion roof. Councilors advised that the City did not pay for those repairs.

Ms. Tanesha Hudson addressed Councilors Galvin, Hill and Signer directly regarding race issues in relation to the perceived reality of their lack of support for funding her event.

Ms. Marissa Turner-Harris spoke in support of the event presented by Tanesha Hudson and addressed Councilors Galvin, Hill and Signer directly for their non-support of the budget request.

The meeting adjourned at 11:32 p.m.