

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, August 6, 2018, AT 5:30 p.m. IN THE Second Floor Conference Room, 605 E. Main Street.

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 – August 6, 2018

Council met in special session on this date with the following members present: Ms. Galvin, Mr. Signer, Dr. Bellamy, Ms. Hill, Ms. Walker. On motion by Ms. Hill, seconded by Mr. Signer, Council voted, (Ayes: Ms. Galvin, Ms. Hill, Dr. Bellamy, Mr. Signer, Ms. Walker; Noes: None;) to meet in closed session as authorized by Va. Code sec. 2.2-3711 (A)(1) and (A)(7), specifically: to discuss the salary of Council's Chief of Staff; and separately, also for consultation with legal counsel on a disputed employment matter which requires the provision of legal advice, and as to probable litigation, because consultation in an open meeting would adversely affect the negotiating or litigating posture of City Council.

On motion by Ms. Hill, seconded by Dr. Bellamy, Council certified by the following vote (Ayes: Dr. Bellamy, Ms. Galvin, Ms. Hill, Mr. Signer, Ms. Walker; 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 – August 6, 2018

ROLL CALL

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

CITY MANAGER RESPONSE TO COMMUNITY MATTERS

Mr. Murphy responded to a request from Ms. Parker to meet with the NDS staff about the pedestrian situation on West Main St. This meeting took place Friday afternoon, and staff committed that Public Works will replace broken lights on the bridge, the west end crosswalk will be installed within the next two weeks, weather-dependent, and the pedestrian crosswalk at 8th St. will be re-stripped with additional signage.

Dr. Bellamy thanked Ms. Parker for her persistence and thanked Mr. Murphy and staff for helping with this matter.

AUGUST 12 PLANNING UPDATE

Mr. Murphy provided Council with a briefing on the City's preparation on a number of items for the weekend of August 11-12.

Dr. Bellamy asked the City to respond to a question of why we are moving so far in the other direction compared to last year, which is perceived as an effective shut-down of the City. Mr. Murphy and Chief Brackney addressed balancing access and convenience with safety and security. They also discussed options, flexibility and alternatives to venues that are marked for closure.

Ms. Galvin thanked Chief Brackney for the community meetings, especially for the evolution of her approach based on community feedback. Mr. Signer asked for clarification on the parks closings. Chief Baxter noted that the facilities will be closed, but not the parkland.

CITY MANAGER SEVERENCE BENEFITS

Ms. Walker announced the severance benefits provided to former City Manager Maurice Jones as follows:

Virginia Code 15.2-1510.1 requires City Council to announce the severance benefits provided to departing officials. As many of you know, Maurice Jones departed from the position of city manager last week. The severance benefits provided to the departing city manager are those referenced in his Employment Agreement dated December 7, 2015, which has been a matter of public record since 2015. Those severance benefits are as follows:

(1) Per section 7(A) of the Employment Agreement, payment equal to six (6) months of the salary that was in effect as of July 31, 2018, and payment for any accrued annual leave--also at the rate of pay in effect as of July 31, 2018 (the specific amount of those payments to be determined by payroll and accounting staff), and

(2) Per section 17 of the Employment Agreement, forgiveness of the balance of the no-interest loan. The balance of the no-interest loan is \$80,667.39.

Ms. Walker addressed the community about the last few weeks, including her activity on social media regarding her position on the interim City Manager candidates and process. She said she requested that Council interview both Assistant City Managers and allow staff and citizens to provide input, and she stated to the Councilors that she was planning to go public with her perspective, including on social media. Ms. Hill asked for clarification on the timing of Ms. Walker's request to interview both Assistant City Managers. Councilors discussed the timeline of events regarding appointing the interim City Manager.

COMMUNITY MATTERS

Ms. Mary Carey, City resident, shared her thoughts on an interim City Manager candidate. She said she has received a lot of negative comments on Facebook. She commented on Council relations and said it appears Councilors are afraid of Ms. Walker.

Ms. Hill said the hardest part about this process is the impact it has had on her relationship with Ms. Walker. Council had further discussion regarding the interim City Manager selection process.

Mr. John Heyden said people should be able to express their views without verbal and physical repercussions from doing so. He asked the City to move on from August 12.

Mr. John Delehanty, City resident, said he was disappointed the mayor went outside of the established process to make her points regarding the interim City Manager selection. He asked the mayor to take responsibility for controlling the atmosphere so that positive things can happen. He said it is disappointing that these matters often take racial overtones. He drew comparisons between Ms. Walker and Donald Trump.

Dr. Bellamy and Ms. Walker responded to the speaker's remarks. Council had further discussion about the interim City Manager selection.

Ms. Elliott Brown, City resident, thanked Ms. Walker for her transparency. She spoke about white fragility and distributed books on the topic to Ms. Galvin, Mr. Signer and Ms. Hill.

Mr. Tony Wasch, City resident, congratulated the City on naming Mr. Murphy to the interim City Manager position. However, he does not understand why an interim must be hired. He said the constant feuding amongst Councilors shows total disrespect and will not allow the City to move forward and address their problems.

Ms. Tanesha Hudson called on a stop to leaking e-mails. She said white supremacy is on display with the Councilors. She asked the City not to shut down for racists on the August 12 weekend.

Mr. Michael Payne addressed the City's housing needs assessment and said this needs to be a turning point for the City. There is a short-fall of affordable housing, and we do not have the policy tools needed to solve this crisis. He called for a \$50 million bond issuance to fund building the City's affordable housing stock. He said the City cannot be sold off to wealthy developers.

Ms. Walker said she supports a large bond issuance, and she believes we need to make sure the Housing Authority figures this out. Dr. Bellamy said the Housing Authority Board is working on this matter, and it is on the agenda for discussion at the next CRHA meeting. Ms. Galvin discussed the importance of working to meet affordable housing goals with a variety of policies.

Mr. Don Gathers said Council cannot be surprised by Ms. Walker's actions when she ran on a platform of transparency. The interim City Manager appointment process was completely flawed. He said Council should have put someone in place to get the City through the August 12 weekend, and then make a permanent interim selection. He called on Council not to vote on important matters without the full Council present. He said the City is in a hostage situation, and we should find a balance between this plan and last year's plan. He said the City needs to know who is ultimately in charge of decision-making on the weekend of August 12.

Mr. Murphy said the City Manager will be the one making policy decisions. Tactical decisions will be made by individual law enforcement agencies. He explained the unified command structure.

Ms. Kem Spaulding, 912 Ridge St., Precinct Chair of Tonsler, read a letter from Tim Kaine, which stated that we should never stop fighting for equality. She said white oppression prevails in Charlottesville. She spoke of the history of slavery, Jim Crow, and Vinegar Hill, and said a lot of civil rights gains were lost. She said calls for the mayor to recuse herself from voting are very disappointing. She asked Council to focus on how decisions can positively affect the most disenfranchised. She called for peace and an end to unjust actions in the City.

Ms. Marcia Geyer, 108 Fairview Ln., said she came to discuss climate change, even though this seems as though it is not the night to do so. She discussed the strategic energy initiative on tonight's consent agenda, which is an important way to reduce greenhouse gasses. She said the roofs of all City buildings, including the schools, could be assessed for solar paneling. A power purchase agreement would lower and stabilize the cost of electricity. She asked Council to make protection from climate and worsening environment changes a priority.

Ms. Galvin thanked Ms. Geyer for speaking and said she looks forward to meeting about this further. She said Charlottesville High School has a solar panel program in place, and she supports a zero carbon policy. Ms. Geyer said the most effected by climate change are disenfranchised populations.

Ms. Linda Goldstein, 1009 Leawood Rd., said the City made mistakes last year. However, massive closing of City resources will not make us safer. She said emotions are high, and fear produces violence. Vigilance can occur without mass restrictions of movement and activities.

Mr. Harold Folley, Legal Aid organizer, gave his time to Ms. Larissa Harris, representing the People's Coalition. She asked members of the People's Coalition to stand. She read a list of requests for actions the Charlottesville Police should take during the weekend of August 10-12, 2018. Requests included communication between the low income areas of Charlottesville regarding their plans for the City during the weekend, and specifically for information on how they plan to protect low income families against the alt-right.

Ms. Reynolds said she is glad to live in a diverse community. She said hate should not be tolerated, regardless of free speech.

Ms. Rosia Parker said she does not understand why the City went from a stand-down to a shut-down.

Ms. Katrina Turner, City resident, said the City is making it difficult for residents to be on the streets during the weekend of August 10-12. She asked if the City is being shut down based on a credible threat. She said the citizens have the right to know if they are in danger.

Mr. Murphy and the Councilors addressed the City's plans for next weekend and noted that certain information could not be divulged to the public. Dr. Bellamy said the community needs to know what options they have for their families this weekend. Mr. Murphy said a number of community-driven events that are happening this weekend, and they are posted on the City's website.

Ms. Walker read a disclosure of her status as an employee of the City of Charlottesville within the Department of Parks and Recreation. A copy of the signed disclosure is available at the Clerk of Council's office.

Mr. Murphy and Council discussed and clarified parks closures for the coming weekend.

Mr. Louis Shultz, 1809 E. Market St., said the only reason Council is meeting tonight is because he shamed Council into holding this meeting. He said Council has disobeyed its own laws regarding Council meetings, including electronic participation in meetings. He said item h. of tonight's consent agenda shows that Council has broken the law with all meetings involving remote participation. He said all meeting minutes need to be presented and signed at each regular Council meeting.

Ms. Davies clarified that closed session meeting minutes will be approved in bulk via resolution at an upcoming meeting, in order to work to comply with the code.

Ms. Walker clarified that she was not shamed into meeting this evening, as conversations were already underway to reinstate the meeting. She thanked Mr. Shultz for addressing the matter.

Ms. Sally Hudson, ABRT review team member, asked Council to publically support Ms. Walker's efforts to revise the ABRT process. She said a recent article portrayed Ms. Walker as the sole supporter of updating the process and asked Council to be clear on their position. This is important in moving the needle for our community. She asked to City to work with the County on moving forward with this.

Council voiced support for this process. Ms. Walker said she believes staff could have better articulated their position at the recent County meeting presentation.

A recess was called 9:51 p.m.; the meeting was reconvened at 10:16 p.m.

Ms. Robin Hoffman said Charlottesville Public Access TV will have an orientation on August 18 at 10:00 a.m., and she encouraged the community to attend. Go to www.cpatv.org for

more information on programming and how to participate. She thanked Ms. Walker for standing her ground and encouraging the public to participate.

Ms. Nancy Carpenter, City resident, said "unmasking the illusion" is one of the reasons she supported Ms. Walker's candidacy. She said people can have multi-racial backgrounds and still have racist mindsets. She said it should not be difficult to figure out how to provide access to amenities such as the spray parks this coming weekend. We should not live in fear.

Ms. Zoe Krylova, County resident, asked why the City has not made plans to encourage and invite community members to come downtown this weekend. She asked the City to make assembly in large numbers possible, with protection.

Ms. Joy Johnson, 802 Hardy Dr., said Dr. Holly Edwards would have been proud of Ms. Walker standing in the face of all she has encountered since coming onto Council. She said Council needs to be able to form consensus and work together. She asked Council to set a better example. She called for increased participation at Council meetings from the black community.

Ms. Walker said the charge she received from Dr. Holly Edwards was to keep doing what she was doing in the way that she was doing it. She spoke about Dr. Edwards and her experience in the community.

Ms. Olivia Patton, City resident, said the City Manager's severance pay was very comfortable. She asked for the community to be told what the benefits are to Mr. Murphy for taking on the interim position, as much of the information in his contract posted online was redacted.

Mr. Rory Stolzenberg, Water St., asked the City not to encourage residents to stay in their homes. He said we should welcome people to the downtown mall, including protestors and merchants. He recommended a free shuttle from the park-n-ride to the downtown mall. He agreed with Mr. Payne that the affordable housing crisis is important, and we need more housing units of all kinds.

Ms. Larissa Harris, City resident, said it is disrespectful for Councilors to be on their phones during the Council meeting. She said certain conversations should take place behind closed doors.

Ms. Cherry Henley commended Ms. Walker for trying to work in the community. She said every time black people have opinions in organizations, they are pushed out. She said laws are not equally applied to people of color. She said you have to stand for what is right.

Mr. Don Gathers asked if there are plans to have law enforcement on call and available to churches, mosques and synagogues this Sunday, if necessary. Mr. Murphy said the Chief of Police has spoken at every public meeting about vulnerable populations, including these buildings.

Ms. Tanesha Hudson asked why the community meeting about August 12 was scheduled when a large group of interested residents were out of state on the EJI pilgrimage trip. She said the community cannot move forward until the Council is ready to move forward.

Ms. Hill said the timing of the community meeting planning was simply an oversight and was nothing intentional. Mr. Signer discussed options for a path forward and asked Ms. Hudson for her ideas. Ms. Walker discussed her relations with other Councilors.

Ms. Joy Johnson said community perception is that the turmoil happened when Ms. Walker become mayor instead of Ms. Galvin. She discussed Council relations.

Ms. Galvin said Councilors vote the way their consciences lead. She said she is committed to working together to move forward. She said the interim City Manager selection was not thought to have required a public process.

Ms. Walker spoke to her experience with a working relationship with Ms. Hill.

CONSENT AGENDA:

a. Minutes for July 16

b. APPROPRIATION: Mountainside Funding Request for Memory Care Unit - \$50,000 (2nd reading)

[Mountainside Funding Request for Memory Care Unit](#)

RESOLUTION Charlottesville Affordable Housing Fund Assistance for the Mountainside Memory Care Unit \$50,000

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia that the sum of \$50,000 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund to the Jefferson Area Board of Aging for the construction of the Mountainside Memory Care unit in the following manner:

Fund: 426 Project: CP-084 G/L Account: 599999
Jefferson Area Board of Aging \$50,000

c. APPROPRIATION: 2018-2019 Safe Routes to School Non-Infrastructure Grant -- \$77,000 (2nd reading)

[2018-2019 Safe Routes to School Non-Infrastructure Grant](#)

WHEREAS, the Safe Routes to School Program (SRTS) non-infrastructure grant, providing Federal payments for **education, encouragement, evaluation and enforcement** programs to promote safe walking and bicycling to school has been awarded the City of

Charlottesville, in the amount of \$77,000;

WHEREAS, the SRTS program is a 100% reimbursement program requiring the City to meet all federal guidelines to qualify;

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

\$77,000	Fund: 209	Cost Center: 3901008000	G/L Account: 430120
\$477	Fund: 209	Cost Center: 3901008000	G/L Account: 451020

Expenses

\$52,477	Fund: 209	Cost Center: 3901008000	G/L Account: 519999
\$25,000	Fund: 209	Cost Center: 3901008000	G/L Account: 599999

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$77,000 from the Virginia Department of Transportation.

d. APPROPRIATION: Virginia Department of Social Services (V.D.S.S.) Employment for Temporary Aid to Needy Families (T.A.N.F.) Participants Grant (1st Renewal) - \$66,667 (2nd reading)

[\(V.D.S.S.\) Employment for Temporary Aid to Needy](#)

WHEREAS, the City of Charlottesville has received funds from the Virginia Department of Social Services in the amount of \$50,000 requiring a \$16,667 in local in-kind match provided by the Office of Economic Development through the Workforce Investment Fund; and

WHEREAS, the funds will be used to support workforce development training programs provided by the Office of Economic Development; and

WHEREAS, the grant award covers the period from June 30, 2018 and July 1, 2019;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$66,667 is hereby appropriated in the following manner:

Revenue

\$50,000	Fund: 209	IO: 1900309	G/L: 430120 State/Fed pass thru
\$16,667	Fund: 209	IO: 1900309	G/L: 498010 Transfers from Other Funds

Expenditures

\$66,667	Fund: 209	IO: 1900309	G/L: 599999 Lump Sum
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Transfer From

\$16,667 Fund: 425 WBS: P-00385 G/L: 561209 Transfer to State Grants

Transfer To

\$16,667 Fund: 209 IO: 1900309 G/L: 498010 Transfers from Other Funds

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$50,000 from the Virginia Department of Social Services and the matching in-kind funds from the Office of Economic Development through the Workforce Investment Fund.

e. APPROPRIATION: Additional Funding for Medicaid Expansion -- \$168,658 (Carried)

[Additional Funding for Medicaid Expansion](#)

f. APPROPRIATION: Additional Funding for Department of Social Services VIEW Program - \$12,512 (Carried)

[Department of Social Services VIEW Program](#)

g. APPROPRIATION: Strategic Energy Initiatives - \$367,698.50 (Carried)

[Strategic Energy Initiatives](#)

~~h. RESOLUTION: Approving Policy to Conduct Electronic Meetings under the Virginia Freedom of Information Act~~ Deferred to August 20, 2018

[Policy to Conduct Electronic Meetings](#)

i. RESOLUTION: Amending City Council Regular Meeting Schedule for 2018

[Amending City Council Regular Meeting Schedule for 2018](#)

RESOLUTION

Amending City Council Regular Meeting Schedule for 2018

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the following dates are approved for regularly scheduled Council meetings for 2018, as amended:

Tuesday, January 2, 2018

Tuesday, January 16, 2018

February 5, 2018

Tuesday, February 20, 2018

March 5, 2018

March 19, 2018

April 2, 2018

April 16, 2018

May 7, 2018

May 21, 2018
June 4, 2018
June 18, 2018
July 2, 2018
July 16, 2018
August 6, 2018 **no meeting** (summer break)
August 20, 2018
Tuesday, September 4, 2018 no meeting (break)
September 17, 2018
October 1, 2018
October 15, 2018
November 5, 2018
November 19, 2018
December 3, 2018
December 17, 2018
Italics indicate an adjusted date due to a holiday.

BE IT FURTHER RESOLVED that these dates will be published on the City's calendar at www.charlottesville.org and posted at the Clerk of Council's office; and

BE IT FURTHER RESOLVED that should Council have a compelling reason to amend the schedule during the year, they may do so with a majority vote; should such a change occur, it will be publicized with a City press release, updated on the City's calendar, and posted at the Clerk of Council's office.

j. ORDINANCE: Release of a Stormwater Management Agreement across 550 Water Street (2nd reading)

[Release of a Stormwater Management Agreement](#)

AN ORDINANCE RELEASING THE 2009 STORMWATER MANAGEMENT/BMP FACILITIES AGREEMENT ACROSS PROPERTY AT 550 WATER STREET

k. ORDINANCE: Closing a Portion of the Coleman Street Right of Way (2nd reading)

[Closing a Portion of the Coleman Street Right of Way](#)

AN ORDINANCE CLOSING, VACATING AND DISCONTINUING AN UNACCEPTED PORTION OF COLEMAN STREET

l. ORDINANCE: Regulation of Small Cell Wireless Facilities in Public Rights of Way (2nd reading)

[Regulation of Small Cell Wireless Facilities in Public Rights of Way](#)

AN ORDINANCE AMENDING AND RE-ORDAINING CHAPTER 28 (STREETS AND SIDEWALKS) OF THE CODE OF THE CITY OF CHARLOTTESVILLE, VIRGINIA (1990) AS AMENDED, TO ESTABLISH PROCEDURES FOR APPROVAL OF SMALL CELL FACILITIES IN THE PUBLIC RIGHTS-OF-WAY WITHIN THE CITY OF CHARLOTTESVILLE AND TO ESTABLISH STANDARDS FOR SUCH FACILITIES

Ms. Galvin asked to table approval of a. Minutes for July 16. Ms. Hill seconded.

Ms. Walker requested pulling item h. regarding conducting electronic meetings until Council has had a chance to have further discussion. Dr. Bellamy seconded this and requested it be added to the regular agenda for August 20 for discussion. Ms. Galvin agreed.

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

PUBLIC HEARING: CITY MANAGER SEARCH PROCESS

[PUBLIC HEARING: City Manager Search Process](#)

Ms. Walker opened the public hearing.

Ms. Barbara Meyer, 1642 Meridian St., encouraged Councilors to explore the issue of white fragility. She said the City must actively look for a City Manager who is willing to bend the arc of history towards justice. She said standing behind the rule of law gets in the way of actual progress. People who have been suffering for decades are tired of waiting for change.

Ms. Tanesha Hudson asked the current interim City Manager why he is taking on this job.

Mr. Brandon Collins, City resident, said Council can expand on this process in a massive way that the community would really appreciate. The public should be involved in crafting the job description. Council should give up some power in the decision-making process to the people of Charlottesville.

Mr. Tony Wasch, Brookwood Dr., said any good candidate for the City Manager job is going to want an extended contract. He asked what happens if the City Manager's contract extends through the time period that a strong mayor form of government would potentially go into effect.

Dr. Bellamy said the elected mayor position would still be a weak mayor, but that person would be elected by the City. They would not be a strong executive.

Having no further speakers, the public hearing was closed.

Council committed to having another hearing at the August 20 meeting, due to the late time of this discussion.

RESOLUTION: RATIFYING EMPLOYMENT CONTRACT OF M. MURPHY FOR INTERIM CITY MANAGER

RESOLUTION: Ratifying Employment Contract of M. Murphy for Interim City Manager

Ms. Allyson Davies, Deputy City Attorney, presented to Council. She reviewed FOIA guidelines regarding personnel benefits and allowable exemptions, including Council's ability to make decisions about waivers. She advised that all City department heads should have contracts.

On motion by Ms. Galvin, seconded by Ms. Hill, the motion to adopt the resolution was moved for discussion.

Ms. Galvin said this has been discussed at length with Mr. Murphy. Based on the amount of responsibility and the level of risk, she is endorsing this contract.

Mr. Signer thanked Mr. Murphy for his service and his willingness to serve in this capacity. He said he regrets that this was a last minute decision that was made due to brinksmanship. He said he supports Mr. Murphy.

Ms. Hill said she supports Mr. Murphy in this role and is looking forward to the partnership in the months ahead.

Dr. Bellamy noted the reason for the 3-0 vote, which was taken because two Councilors were out of town, and it was imperative that a City Manager be in place before Mr. Jones left his position.

Ms. Walker said she understands that it has been the practice of the City to exempt the personnel section under FOIA, but it is not required to be exempt. Ms. Davies said Council has the discretion to waive the exception, with the consent of the employee.

Ms. Walker said she believes Council could have had this discussion after July 31, when they were all able to be in the same room. She said the City should move in the direction of having contracts, particularly to provide a written account of what has been agreed upon. She said transparency is important, even if it means having difficult conversations.

Dr. Bellamy said even though it was a long process, he is happy to be able to move forward.

Ms. Walker asked Mr. Murphy if he is open to having a public discussion about the section that has been redacted. Mr. Murphy agreed and presented Council with an overview of his contract and accompanying requests. He acknowledged his disagreement with the mayor but believes they both have similar goals for the community and can work well to move to City forward.

Dr. Bellamy asked for clarification about what this means for the City moving forward regarding FOIA personnel requirements. Ms. Davies said Mr. Murphy waived his personnel exemption, and that was not a decision by the governing body.

Council discussed the timing of naming an interim City Manager.

Ms. Galvin asked to call the question. Mr. Signer supported the motion to call the question. Ms. Walker asked Ms. Davies if Council has to vote on this tonight. She stated that Council needs to ratify the contract in a public meeting.

Ms. Walker reviewed how she moved through the process and the concerns she has had about the request. She said Council has to be willing to question the processes in place. Specifically, she said she is concerned about tying the hands of the future City Manager. She said she would have supported providing a pay increase or severance instead of allowing for the retirement plan.

Dr. Bellamy made a motion for Council to hold another closed session about this matter. Ms. Walker seconded the motion. The motion failed. (Ayes: Dr. Bellamy, Ms. Walker; Noes: Ms. Hill, Mr. Signer, Ms. Galvin.)

The vote was called on ratifying Mr. Murphy's contract. The vote passed (Ayes: Ms. Hill, Mr. Signer, Ms. Galvin; Noes: Dr. Bellamy, Ms. Walker.)

Dr. Bellamy said his vote has nothing to do with Mr. Murphy, but rather that he objects to Council's refusal to meet again in closed session.

**RESOLUTION
APPROVING THE INTERIM CITY MANAGER'S
EMPLOYMENT AGREEMENT**

WHEREAS, the City of Charlottesville requires an Interim City Manager to manage the affairs of the City during the search for a permanent City Manager; and

WHEREAS, City Council has entered into the attached employment contract with Mike Murphy to assume the responsibilities of the City Manager; and

WHEREAS, the City Council of the City of Charlottesville seeks to formally ratify this agreement and make it part of the public record, excluding only sections lawfully exempt from public disclosure pursuant to Va. Code §2.2-3705.1(1) which address the employee's personal and individual benefits; now, therefore

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia that the attached Interim City Manager's Employment Agreement between the City of Charlottesville and Interim City Manager, Mike Murphy, dated July 31, 2018, is hereby ratified and adopted.

REPORT: EMMET STREETSCAPE SHARED USE PATH LOCATION

REPORT: Emmet Streetscape Shared Use Path Location

Mr. Brennan Duncan presented to Council. He introduced Mr. Tim Motsch, Project Manager, who presented to Council on the Emmet Streetscape shared use path location options. Mr. Duncan answered clarifying questions for Council.

Ms. Galvin recommended making a formal motion to endorse staff's recommendations regarding the multi-use path. Dr. Bellamy seconded the motion.

Council voted to endorse staff's recommendation. The motion passed. (Ayes: Dr. Bellamy, Ms. Hill, Mr. Signer, Ms. Galvin; Noes: None; Abstains: Ms. Walker.)

OTHER BUSINESS

OTHER BUSINESS: RESOLUTION: CONSENTING TO A DECLARATION OF LOCAL EMERGENCY WITHIN THE CITY OF CHARLOTTESVILLE

Mr. Mike Murphy, Interim City Manager, presented to Council.

Ms. Walker asked if Council will know beforehand if this decision is made. Ms. Davies said Council could request that Mr. Murphy notify Council at the time a decision is made.

On motion by Ms. Hill, seconded by Ms. Galvin, the resolution passed. Ayes: Dr. Bellamy, Ms. Hill, Mr. Signer, Ms. Galvin; Noes: Ms. Walker.)

RESOLUTION CONSENTING TO THE DECLARATION OF A LOCAL EMERGENCY WITHIN THE CITY OF CHARLOTTESVILLE

WHEREAS, pursuant to ongoing monitoring and planning for the weekend of August 10-12, 2018, state and city public safety agencies are planning to manage a credible threat that individuals will be coming to Charlottesville on the upcoming weekend of the anniversary of August 12, 2017, with the intention of causing a man-made public disturbance ("Civil Unrest"); and

WHEREAS, such Civil Unrest may result in substantial injury or harm to citizens and/or substantial damage to or loss of property and may require substantial governmental action beyond normal operations; and

WHEREAS, this Civil Unrest threatens to be of sufficient severity and magnitude to warrant coordinated local government action to prevent or alleviate the damage, loss, hardship or suffering threatened by such gatherings; and

WHEREAS, the Civil Unrest is anticipated over a period beginning on Friday, August 10, 2018 and anticipated to continue through Monday, August 13, 2018; and

WHEREAS, the anticipated Civil Unrest is an occurrence within the definition of the term “emergency” defined in Virginia Code sec. 44-146.16 (“Local Emergency”); and

WHEREAS, the City’s Director of Emergency Management, the City Manager, (“Director”) proposes to declare a Local Emergency in coordination with state officials and that such declaration is necessary for the purposes of activating the city’s local emergency operations plan, and the Director seeks the consent of this City Council to declare said Local Emergency, as required in accordance with the provisions of Virginia Code sec. 44-146.19(A), in coordination with a state declaration, as necessary; and,

WHEREAS, during the existence of said Local Emergency the powers, functions, and duties of the Director of Emergency Management and public officials and employees of the City of Charlottesville are those prescribed by Virginia Code sec. 44-146.21(C) and any other applicable state laws, as well as those set forth within the ordinances, resolutions, and approved emergency operations plan(s) for the City of Charlottesville, all in order to mitigate the effects of said emergency;

NOW, THEREFORE, BE IT DECLARED that this Council does hereby consent to the Declaration of Local Emergency by the Director, activating the City’s local Emergency Operations Plan and authorizing the furnishing of aid and assistance thereunder.

MATTERS BY THE PUBLIC

Mr. Louis Shultz, 1809 E. Market St., said Section 2b contemplates a one-year term specified in Mr. Murphy's contract. He said contracts cannot legally be established for a definite term.

Ms. Elliott Brown said when white people come together to silence black people, it is white fragility and white supremacy. She thanked Ms. Walker.

Dr. Bellamy said he wants to make sure Mr. Murphy knows he has his support, and his vote against the ratification was a reflection of his disagreement about Council's refusal to have another closed session.

A resident recommended Council hold the closed session meeting to discuss Mr. Murphy’s contract regardless.

The meeting was adjourned at 1:13 a.m.