

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, February 6, 2012, AT 6:00 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 Barfield

SECOND FLOOR CONFERENCE ROOM – February 6, 2012

Council met in special session on this date with the following members present: Ms. Galvin, Ms. Smith, Mr. Huja, Mr. Norris, Ms. Szakos.

On motion by Ms. Szakos, seconded by Mr. Norris, Council voted (Ayes: Ms. Galvin, Ms. Smith, Mr. Huja, Mr. Norris, Ms. Szakos; Noes: None) to meet in closed session for (1) Discussion and consideration of appointments to City boards and commissions, as authorized by Virginia Code sec. 2.2-3711 (A) (1); and (2) consideration of the acquisition of real property (a) on Hydraulic Road and U.S. Route 29 North, and (b) on Old Lynchburg Road, in both cases for use as public street right-of-way, where discussion in an open meeting would adversely affect the negotiating strategy of the City, as authorized by Virginia Code sec. 2.2-3711 (A) (3).

On motion by Ms. Szakos, seconded by Mr. Norris, Council certified by the following vote (Ayes: Ms. Galvin, Ms. Smith, Mr. Huja, Mr. Norris, Ms. Szakos; Noes: None), that to the best of each Council Member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion convening the closed session were heard, discussed or considered in the closed session.

COUNCIL CHAMBERS – February 6, 2012

Council met in regular session on this date with the following members present: Ms. Galvin, Ms. Smith, Mr. Huja, Mr. Norris, and Ms. Szakos.

ANNOUNCEMENTS

Ms. Szakos announced that school report cards came out this past week for City schools. She announced the Healthy Birth, Healthy Baby Expo on March 3 at the Herman Key Center. Ms. Kate White thanked Council for their support.

Ms. Smith announced February 21 from 5:30 – 7:30 at the Commonwealth Skybar is *Diversity 2012: Marketing to Latinos*, hosted by the Chamber of Commerce. The price is \$20, with proceeds going to charity. Also, the Fry Springs Neighborhood Association is hosting a Gang Awareness workshop on February 22 from 6:00 -8:00 pm. The Charlottesville Community Scholarship Program is offering scholarships to high school seniors and adults to pursue post-high school education. Applications are due March 1st. Go to www.cvillesscholarship.com for more information.

Mr. Norris said the Thomas Jefferson Soil and Water Conservation District has received funding to help homeowners for septic system repair and hook-ups. Call 974-0225 for more information.

MATTERS BY THE PUBLIC

Mr. John Gaines, 214 9th St NW, said he was raised in Charlottesville during segregation. He compared the poll tax his mother used to pay to the recent legislation passed by the House of Delegates requiring identification to vote. This would adversely affect African Americans and low-income citizens. Please pass a resolution opposing the measure. He urged Council to support the Human Rights Commission and said it should have investigative power.

Ms. Naomi Roberts, 1140 St. Clair Ave. Ext., said the left turn from Michie Drive onto East Hydraulic should not be an option. She asked Council not to fund additional staff or departments. She does not support the Peace Resolution.

Mr. Paul Long, 1410 Grady Ave., said we need an expanded public transportation system in Charlottesville, operating on Sundays and legal holidays. Expand routes and introduce new routes. Congestion is a problem in the Charlottesville/Albemarle area, and expanding public transportation makes common sense.

Mr. Joe Szakos, 1132 Otter St., Exec. Dir. at Virginia Organizing, encouraged Council to approve a human rights commission in Charlottesville. The most effective way to deal with discrimination is to form local policies. There is no doubt that discrimination exists in Charlottesville, and having a central location for complaints allows us to see how often these problems exist.

Ms. Gloria Rockhold, 1417 Lester Dr., commended Council and especially Mr. Jones for handling the proposal for the human rights commission. This is the next logical step for the labor of the Dialogue on Race. She asked those present who support the commission to stand.

Mr. William Page, 1401 Wellford St., said he is concerned about pre-judgment over the decision-making process on the East Side of McIntire Park. Carefully weigh the financial impact and the worthiness of the programs before making a decision. There is room for two projects in the park.

Ms. Pam Fisher, 1604 Trailridge Rd., requested that Council consider a traffic light at the intersection of Michie and Hydraulic.

Ms. Martha Maltais, 1680 Sourwood Pl., Sr. Director of Adult Development Services at Region 10, works at a facility near Michie Drive. The intersection at Hydraulic and Michie is a nightmare, especially for vans and school buses. Please consider a stoplight for this intersection.

Mr. Huja called on Mr. John Heyden, but he was not present to speak.

Mr. David Petit, 530 E. Main St., a local attorney, said the City Manager's recommendation to establish a taskforce to study the prudence of establishing a commission is wise. We have substantial means available to enforce existing state laws against discrimination. With legal authority, the commission would have as much ability to do injustice as justice and could potentially do more harm than good. Please proceed cautiously.

Mr. Bob Gross, 1301 Courtyard Dr., and Ms. Gertrude Ivory, with the Dialogue on Race, outlined several of the initiatives by the steering committees and action teams. Careful consideration of the formation of a commission is imperative to its success. They endorsed the City Manager's proposal to do a careful study of our regional condition.

Ms. Abigail Turner, Legal Aid, 1000 Preston Ave., said she supported the commission and offered legal support. Please enact an ordinance now instead of waiting and studying it further. We need a permanent entity in Charlottesville that can address issues of discrimination, particularly in employment. Private lawyers cannot economically handle most of the smaller cases.

Dr. Meredith Richards, Cville Rail Chairman, asked for Council's support for funding the regional train. She shared ridership numbers with Council and said the revenue per passenger is going to decrease as the train enters its third year. She gave Council a letter of support to sign.

COUNCIL RESPONSES TO MATTERS BY THE PUBLIC

Mr. Norris said we should take up the request of Mr. Gaines under Other Business.

Ms. Smith agreed. She also told Mr. Long that restructuring the transit system was high on the priorities list at the Council retreat on Friday.

Ms. Szakos agreed with Mr. Long that we need better service. We did get Sunday service on holidays, and we are continuing to work on improvements.

Ms. Galvin said she agreed with the other Councilors.

Mr. Huja said he supported Dr. Richards' letter and agreed with Mr. Long's comments about transit.

On motion by Mr. Norris, seconded by Ms. Smith, the following appointments were made to boards and commissions: David Simmons to CAP, and Tara Boyd to the Thomas Jefferson Water Resources Protection Foundation. (Ayes: Mr. Norris, Ms. Smith, Mr. Huja, Ms. Szakos, Ms. Galvin; Noes: None.)

CONSENT AGENDA

Ms. Smith requested the minutes from January 17th be approved at the next meeting. Ms. Galvin requested item j regarding Project Gaitway be removed for discussion.

On motion by Ms. Galvin, seconded by Ms. Szakos, the following consent agenda items were approved: (Ayes: Ms. Galvin, Ms. Smith, Mr. Huja, Mr. Norris, Ms. Szakos; Noes: None.)

- a. Minutes of January 20
- b. APPROPRIATION: Multiforce Systems Corporation Reimbursement - \$13,000 (2nd reading)
- c. APPROPRIATION: FY2012 Friendship Court Sponsorship Agreement (3rd Quarter) - \$22,130.50 (2nd reading)
- d. APPROPRIATION: Charlottesville Police Department Foundation Donation - \$4,232.37 (carried)
- e. APPROPRIATION: Charlottesville/Albemarle TRIAD Program Funds - \$406
- f. RESOLUTION: Whale Tail Sculpture Lease
- g. RESOLUTION: Oakhurst Inn & Apartments SUP for Increased Density
- h. RESOLUTION: Initiate Review of Zoning/Subdivision Waivers
- i. RESOLUTION: Reprogramming of CDBG and CHF Funds
- j. ~~RESOLUTION: Project Gait Way: The Belmont Bridge Design Competition - \$2,000~~
- k. ORDINANCE Closing of Temporary Turnaround Area in Davis Field near Marshall Court (2nd reading)

REPORT: MICHIE DRIVE TRAFFIC OPTIONS

Ms. Alexander presented to Council. There are nine specific criteria regarding the implementation of a traffic signal, and none of the criteria are met at this intersection. She explained the negative effects of installing a light that is not warranted based on federal standards.

She reviewed solutions for improvement at the intersection, including road markings, flashing beacons, and median modifications. Other options that would require an additional funding source are flashing light signals, improvements on 250 and Hydraulic, or rerouting traffic at Rugby Road.

Ms. Szakos asked if we could install a signal that only operates during certain hours. Ms. Alexander said driver expectancy makes this option potentially confusing.

Ms. Smith asked about eliminating the yield coming off 250 onto Hydraulic, and simply turning at the light instead of having the yield lane. Ms. Alexander said you lose too much capacity to make that a viable option. Ms. Smith asked what would happen if changes were made to Rugby Road. Ms. Alexander said restricting access at Rugby Road frees up green time at the signal to allow for more flow. This option would require a lot of public input.

Ms. Galvin asked where the money would come from for the items that were not budgeted. Mr. Jones said it would be part of the CIP process. Ms. Szakos asked if the Dunlora neighborhood light was temporary. Ms. Alexander said it was. Ms. Szakos asked if you could create a longer right turn lane off 250 and eliminate the yield. Ms. Alexander said it could be considered, but cost and the distance to the bridge was a limiting factor.

Mr. Norris asked about a signal that was demand-actuated at the intersection and whether this was included in the study. Ms. Alexander said there is an assumption that a new signal will work as well as possible. Even if demand-actuated, the delay created is still too great. Ms. Alexander explained the process of studying potential connector roads. Topography and location of the road given existing buildings are restricting factors. Mr. Norris asked about extending the Hearthwood parking area. Ms. Alexander said there are opportunities as things may redevelop, but staff has looked at this as a near-term operational traffic solution.

Ms. Galvin asked about looking into the Hillsdale Drive design area and said this is the time to make sure the design makes sense and implementing long-term fixes to traffic problems surrounding this area. Ms. Alexander said that was beyond the limits staff had put on themselves at this point, but they will look into options going forward.

Ms. Smith said it makes sense to proceed with the easy solutions for now. Council agreed. Ms. Alexander said staff will start with pavement markings, and go from there.

REPORT: COMMISSION ON HUMAN RIGHTS, DIVERSITY AND RACE RELATIONS

Mr. Jones outlined the work of the Dialogue on Race Steering Committee to develop an initiative to address race relations in our community. The recommendation of staff is that a task force should be established to research the viability of the commission.

Ms. Smith said starting off too quickly may result in failure and could be damaging. She has also heard concerns that the Dialogue on Race would not have capacity for both projects.

Ms. Szakos said a process is important. Participants must become involved so that there is consensus. The taskforce is a good idea, but it should not take a year.

Ms. Galvin agreed that process is important. There are several potentially problematic questions that need to be properly researched before we form this commission. Mr. Jones' solution seems thorough and fair. Focusing on racism as the sole reason for unemployment may hinder us from working on other real obstacles of employment.

Mr. Norris said he does not agree with the recommendation to delay the creation of the commission. Moving ahead now would be good. The advocates for this proposal have made an error in focusing almost exclusively on enforcement and investigation of discrimination. He listed several issues that exist in our community and said this commission could have a significant impact on these things. A single-minded focus has missed the mark.

Ms. Szakos said it seems a lot of the issues Mr. Norris listed are covered by the Dialogue on Race.

Mr. Huja said if you appoint a commission just to say you have done it, it will not be as effective as it could be. He agreed that he would like to see a shorter time frame, not one year. Ms. Smith said it still does not seem clear what we are asking the commission to do. Mr. Norris said we should establish the commission to help with some immediate issues, and then use the process to figure out how the commission will function.

Ms. Szakos said we should appoint an eleven member commission task force made up of residents in the community, and within six months get a report from them about the viability of a permanent commission. Then we should create a commission with an ordinance, and phase in the process of their enforcement.

Mr. Huja said we should reduce the time frame but refrain from prejudging what the recommendation may be. Ms. Galvin said she agreed with Mr. Huja.

Mr. Jones said he chose twelve months because that would give us a good understanding of the issues from start to finish, with time to establish referral points and tracking. We could probably gain this knowledge within ten months.

On motion by Ms. Galvin, seconded by Ms. Szakos, Council voted to accept Mr. Jones' proposal with a ten month process instead of twelve months, and requested a five

month interim report. (Ayes: Ms. Galvin, Ms. Szakos, Mr. Huja, Ms. Smith; Noes: Mr. Norris.)

REPORT: SRO UPDATE

Mr. Tolbert reported to Council on the SRO update and introduced Allison Bogdanovich and her team. Ms. Bogdanovich presented a power point to Council, along with Stephanie Johnson and Erin Briggs, updating them on construction progress and leasing. She reviewed the project timeline. Virginia Supportive Housing has a 90% success rate for clients. She reviewed *The Crossings* project. Information is available at www.virginiassupportivehousing.org. The total project cost was \$8.2 million, coming from several different sources, including the City's support in acquiring the site. Ms. Bogdanovich thanked the development team and their supporters, and said they are continuing to fundraise for this project.

Ms. Galvin asked if there are term limits for residents. Ms. Bogdanovich said they do not, but most residents stay an average of four years. Ms. Szakos asked about what a volunteer may be able to do. Ms. Bogdanovich said helping with classes, assistance with budgeting, and other activities that do not include resident contact, such as event planners are all among the possible volunteer activities. Ms. Smith asked about heating. Ms. Bogdanovich said heating is run on a mini-split system, and utilities are included in the rent.

Mr. Norris asked where people are going after they move out. Ms. Bogdanovich said 90% of residents are not returning to the streets. Most residents move into apartments or are reunited with families, and a few even buy their own homes.

Mr. Huja said he is pleased at the services the program provides in addition to a home.

REPORT: RENEWABLE ENERGY REVOLVING LOAN FUND PROPOSAL

Ms. Mueller presented to staff on the loan proposal.

Mr. Huja asked how interest rates were involved in the process. It was clarified that this was for existing buildings, not new buildings. He said this ought to be a simple program and should not be made so complicated that it is difficult to qualify. He asked if there would be a limit to the amount of the loan that can go with any one building. Ms. Szakos said the loan amount should be proportional to the number of employees. Ms. Galvin agreed.

Mr. Norris said the original intention was that this would be a grant to LEAP. Ms. Mueller said LEAP has asked us to give them Council feedback. Mr. Norris said we are looking to do this quickly so local businesses can take advantage of state dollars that

are scheduled to expire. Mr. Norris said we could use these funds as leverage to encourage property owners to become energy efficient. Mr. Huja said it should be for commercial property owners only. Ms. Smith said we should get a report on what the savings are. Ms. Szakos said she would like to see it ongoing, especially if there is low interest. Ultimately it is not money we are spending; it is money we are investing. Ms. Galvin said we are generating energy that we could then sell. Mr. Huja confirmed with Mr. Jones that staff had sufficient guidance to move forward.

REPORT: MCINTIRE PARK EAST SIDE MASTER PLAN UPDATE

Mr. Daly presented on the status of master planning efforts for the east side of McIntire Park. In response to a previous concern voiced during Matters by the Public, Ms. Galvin clarified that she was not imposing a bias at the meeting, but she was concerned all options were not on the table.

Mr. Norris asked about the logical implications of option four, which would not have a golf presence in McIntire Park. He asked what it would take to enhance the golf program elsewhere, particularly the First Tee program. Mr. Jones said there would be a cost associated, and Mr. Daly can research the answers. Ms. Szakos said First Tee is running at a deficit. Ms. Smith said we should know the financial impact of these options. Mr. Huja said he likes the botanical garden but is concerned about funding and who it the gardens would serve. Ms. Galvin asked for information on users. Ms. Smith said we may need a discussion on each possible component of the park. Not all uses may be appropriate. Mr. Huja thanked Mr. Daly for the presentation and said we may have further discussion in the future. Ms. Szakos thanked Mr. Daly for a good process.

OTHER BUSINESS – PROJET GAITWAY: BELMONT BRIDGE DESIGN COMPETITION

Ms. Galvin said the UVA School of Architecture is doing a design competition, and we may also have access to a grant. She questioned whether we should pay for a competition with so many free ideas coming in from the University. Mr. Huja asked Mr. Brian Wimer to defend his request in light of the UVA project. Mr. Wimer said the University's display on Saturday is mostly within the University. The Project Gaitway competition will be displayed at City Space, and there will be public choice and jury choice selections. Ms. Galvin said she was pleased her fellow Councilors supported the venture. On motion by Ms. Szakos, seconded by Ms. Smith, the motion passed unanimously. (Ayes: Ms. Galvin, Ms. Smith, Ms. Szakos, Mr. Huja, Mr. Norris; Noes: None.)

OTHER BUSINESS – TRAIN

On motion by Mr. Norris, seconded by Ms. Szakos, Council voted to sign the letter Dr. Richards presented regarding the train. (Ayes: Ms. Galvin, Ms. Smith, Ms. Szakos, Mr. Huja, Mr. Norris; Noes: None.)

OTHER BUSINESS – OPPOSITION TO VOTER IDENTIFICATION

On motion by Mr. Norris, seconded by Ms. Galvin, Council voted to write a letter in opposition of the proposed voter poll tax, not only for low income residents, but also for the elderly. (Ayes: Ms. Galvin, Ms. Smith, Ms. Szakos, Mr. Huja, Mr. Norris; Noes: None.)

MATTERS BY THE PUBLIC

Mr. Peter McIntosh, 624 Davis Ave., appearing on behalf of the McIntire Botanical Gardens, read portions of a letter he wrote to Mr. Daly. Park use should be free to the public. The City should increase access. Save the tree canopy, and renew it when they are at the end of their useful life. The initial development should be relatively modest; a park experience is not consistent with golf.

Mr. Jeffery Fogel, 215 Spruce St., said we do not need to study on things the human rights commission will address; they are present in our City, and we need to act on them. This problem demands an immediate and forceful response to institutionalized problems with racism.

Ms. Gloria Rockhold, 1417 Lester, said it seems we are going around in a circle just so Council can say they studied the issue. Discrimination is alive. We should move quickly to remedy discrimination.

Ms. Nancy Carpenter, 727 Denali Way, thanked Council for upholding the peace initiatives. She also thanked them for giving voice to people who might lose their right to vote.

Mr. Peter Kleeman, 407 Hedge St., said he is interested in land uses in the east side of McIntire Park and developing it in a manner that would create a space usable by many people in the community. Preservation has not been mentioned. Currently the entire east side is a national registered historic property because of the uniqueness of the golf course.

Ms. Naomi Roberts, 1140 St. Clair Ave. Ext, asked if the police department could monitor the situation at Michie Drive until solutions are implemented. She said in regard to a request that certain internal investigation results be made available, Chief Longo

does a superb job and has made his results available to the complainant, which is all that is necessary.

Ms. Sally Brown, 110 Shamrock Rd., said regarding the use of McIntire Park, this is the largest green space that we still have in the City, and it has already been somewhat carved up by the Bypass. Please use this space as a botanical garden. She explained the history of a bird sanctuary that existed in the thirties and requested Council keep this piece of land intact.

COUNCIL RESPONSE

Ms. Galvin said staff has received updates on the cost implications of changing the construction schedule of the Ragged Mountain Dam. Staff is reaching out to begin discussions on having foresters present to mitigate impact on forest life. Also, the value of the lumber is reflected in the lowest bid. Ms. Smith said that the City has not been compensated according to the resolution, and the bid actually includes a cost for clearing the land. We are being charged for clearing the land with no compensation to the City for the lumber.