

## COUNCIL CHAMBER - July 1, 2019

### ROLL CALL

The Charlottesville City Council met in regular session on July 1, 2019, with the following members present: Mayor Nikuyah Walker, Vice Mayor Heather Hill, Dr. Wes Bellamy, Ms. Kathy Galvin, and Mr. Mike Signer.

Ms. Walker called the meeting to order at 6:40 p.m.

### ANNOUNCEMENTS / PROCLAMATIONS

Ms. Hill read an announcement from Mr. Alex Zan regarding an event, the 11<sup>th</sup> Annual “Summer Think Shop” on Thursday, July 18, from 10:30 a.m. to Noon.

Dr. Bellamy thanked supporters of Run These Streets. There were 206 participants. He read an announcement about a Minority Mental Health Awareness and Unity Days event on July 24 from 6:00 p.m. to 8:00 p.m. at the Jefferson School and read a proclamation for National Minority Mental Health Awareness Month - July 2019. Ms. Myra Anderson, members of Brave Souls on Fire, and Central Virginia Clinicians of Color were present to accept the proclamation.

Ms. Hill presented a proclamation for John Henry James Day - July 12, 2019, to recognize that a history of racial injustice must be acknowledged, recognized, and remembered in order for a community to heal, and to ensure that these actions are not repeated. John Henry James was lynched on July 12, 1898, in nearby Albemarle County.

Ms. Galvin read an announcement from the Charlottesville Food Justice Network regarding a two-day “Local Foods, Local Places” workshop on July 16 and 17.

Dr. Richardson and members of the Board of Elections introduced the new General Registrar and Director of Elections, Ms. Melissa Morton, who was sworn in on June 28, 2019.

Mr. Signer read a proclamation about Welcoming Week, September 13-22, 2019.

### CONSENT AGENDA\*

Clerk of Council Kyna Thomas read the following Consent Agenda items into the record.

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

Highway Safety Improvement Program pedestrian connections appropriation

**APPROPRIATION**  
**Highway Safety Improvement Program funds for Pedestrian Connections within**  
**Hillcrest/Birdwood Neighborhood - \$708,932**

**WHEREAS**, a total of \$694,753 in state funds for the Highway Safety Improvement Program requires appropriation; and

**WHEREAS**, \$14,179 in previously appropriated City funds require transfer to this project;

**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**

**\$ 694,753**      Fund: 426                      WBS: P-00694                      G/L Account: 430080

**Expenditures**

**\$ 694,753**      Fund: 426                      WBS: P-00694                      G/L Account: 599999

**NOW, THEREFORE BE IT FURTHER RESOLVED** by the Council of the City of Charlottesville, Virginia that the following is hereby transferred in the following manner:

**Transfer From**

**\$ 14,179**      Fund: 427                      WBS: P-00212                      G/L Account: 561425

**Transfer To**

Revenue

**\$ 14,179**      Fund: 426                      WBS: P-00694                      G/L Account: 498010

Expense

**\$ 14,179**      Fund: 426                      WBS: P-00694                      G/L Account: 599999

**c.      APPROPRIATION: Virginia Department of Education Special Nutrition Program  
Summer Food Service Program - \$100,000 (2nd reading)**

Summer Food Service Program appropriation

**Virginia Department of Education Special Nutrition Program  
Summer Food Service Program - \$100,000**

**WHEREAS**, the City of Charlottesville, through Parks and Recreation, has received approval for reimbursement up to \$100,000 from the Virginia Department of Education Special Nutrition Program to provide free breakfast and lunch to children attending summer camp programs; and

**WHEREAS**, the grant award covers the period from period June 17, 2019 through October 31, 2019.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, which the sum of \$100,000, received from the Virginia Department of Education Special Nutrition Program, is hereby appropriated in the following manner:

**Revenue – \$100,000**

Fund: 209 Internal Order: 1900334 G/L Account: 430120

**Expenditures - \$100,000**

Fund: 209 Internal Order: 1900334 G/L Account: 530670

**BE IT FURTHER RESOLVED** that this appropriation is conditioned upon the receipt of \$100,000 from the Virginia Department of Education Special Nutrition Program.

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

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 (carried)**

HUMAN SERVICES DCJS GRANT \$245,428

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

Water Street Trail TAP Appropriation

- g. RESOLUTION: Regional Transit Partnership Memorandum of Understanding**

RTP Agreement

**RESOLUTION**

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, that the City of Charlottesville Mayor, and on behalf of Charlottesville Area Transit, is hereby authorized to sign the following document, attached hereto, in form approved by the City Attorney or his designee.

**Regional Transit Partnership Memorandum of Understanding for Joint Transit Service**

**h. RESOLUTION: Adopting a New Greenhouse Gas Reduction Goal**

New Greenhouse Gas Reduction Goal resolution

**RESOLUTION  
ESTABLISHING A NEW GREENHOUSE GAS (GHG) REDUCTION GOAL**

**WHEREAS**, the weight of scientific evidence and scientific consensus indicates that greenhouse gas emissions from human activities is driving climate change, especially the combustion of fossil fuels that create greenhouse gases; and

**WHEREAS**, climate change has been widely recognized by government, business, academic, and other community leaders as a worldwide threat with the potential to harm our economy, safety, public health, and quality of life; and

**WHEREAS**, the City of Charlottesville resolved in June 2017 to stand with cities and other public and private sector partners throughout the world to advance action in accordance with the with the goals outlined in the Paris Agreement, the first global commitment to fight climate change; and

**WHEREAS**, the City of Charlottesville adopted a Statement of Economic Principles in September 2017 that supports growing a wide array of local industry sectors, the availability of excellent affordable housing, a globally competitive workforce, redevelopment that produces local jobs and affordable housing, builds upon Charlottesville's commitment to sustainability, and promotes active partnerships at the regional level; and

**WHEREAS**, the City of Charlottesville is currently in Phase 2 of implementing its Global Covenant of Mayors for Climate and Energy commitment which requires a new reduction goal to be adopted, and will develop a Climate Action Plan in Phase 3; and

**WHEREAS**, the City of Charlottesville has been involved in and continues to explore a variety of important actions to reduce greenhouse gas emissions in our community; and

**WHEREAS**, 90% of Charlottesville's carbon emissions profile is attributed to residential, commercial, and transportation sector activities; and

**WHEREAS**, initial costs for energy efficiency and renewable energy measures can pose a barrier for residential, commercial, and non-profit property owners and slow adoption of low carbon actions despite many such installations resulting in net-cost savings over their lifetime; and

**WHEREAS**, the private financial sector has access to resources that local government does not and that can aid in increased investment in energy performance of buildings in Charlottesville; and,

**WHEREAS**, the affordability of housing is affected by the cost of the housing unit and the cost of powering the home, known as the energy burden; and

**WHEREAS**, improvements in building energy performance through energy efficiency and renewable energy installations can reduce the energy burden cost for the building occupants and, in many cases, improve the comfort and quality of life of the building occupants; and

**WHEREAS**, local investment in energy improvements for buildings and low carbon strategies requires a skilled local workforce and supports local businesses and industries that are seeing national and global growth, and enables partnerships such as those seen in the GO Solar program.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the City of Charlottesville adopts the goal of 45% reduction in community-wide greenhouse gas emissions by 2030 target from its 2011 inventory year, and the goal of carbon neutrality by 2050; and, develops a Climate Action Plan pursuant to this goal and that includes the following aspects:

- Front Load Reductions – pursue steeper reductions in the near term
- Identify of Sub-Goals by Sector and by Strategy in the Climate Action Plan
- Address Equity Specifically in Goals and the Climate Action Plan
- Identify Measurement Frequency & Accountability Mechanisms
- Addresses Funding and Financing Options to Enable and Support Private Sector Action

**i. RESOLUTION: Accepting Hillsdale Drive Project into the City Street System for Maintenance**

Hillsdale Roadway Acceptance resolution

**RESOLUTION  
ACCEPTING HILLSDALE DRIVE PROJECT INTO THE CITY STREET SYSTEM FOR  
MAINTENANCE**

WHEREAS, the new portions of Hillsdale Drive have been completed by Fielder’s Choice Enterprises, LLC;

WHEREAS, the subject roadway has been built to the specifications and standards required by the city approved plan;

WHEREAS, City staff and Whitman, Requardt & Associates, LLP on behalf of the City have inspected the roadway and recommends acceptance into its street system for maintenance; now, therefore

BE IT RESOLVED, by the Council of the City of Charlottesville, Virginia, on recommendation of the City Engineer, that the new street portions of Hillsdale Drive as shown on the attached drawing, are hereby accepted into the City street system for maintenance.

- 1) add 1.71 moving lane miles to Hillsdale Drive from the northern City/County line to the former dead-end section of previously constructed Hillsdale Drive off of Hydraulic Road.
- 2) remove 0.32 moving lane miles from Line Drive between Zan Road and Indian Road.
- 3) remove 0.22 moving lane miles from Zan Road between Line Drive and Seminole Court.

**j. RESOLUTION: Virginia Department of Transportation Revenue sharing**

VDOT Revenue Sharing resolution

**RESOLUTION  
Fiscal Year 2020 – 2021 Revenue Sharing Program - \$1,150,000**

At a regularly scheduled meeting of the City of Charlottesville City Council held on July 1, 2019, on a motion by [name of Council or Board member], seconded by [name of Council or Board member], the following resolution was adopted by a vote of [#] to [#]:

WHEREAS, the City of Charlottesville City Council desires to submit two applications for an allocation of funds of up to \$1,150,000 through the Virginia Department of Transportation Fiscal Year 2020-21, Revenue Sharing Program; and,

WHEREAS, \$1 million of these funds are requested to fund the East High Streetscape Signalization; and,

WHEREAS, \$150,000 of these funds are requested to fund the Route 250 Bypass/Hydraulic Turn Lane Extension; and,

WHEREAS: The City of Charlottesville City Council hereby supports this application for an allocation of \$1,150,000 through the Virginia Department of Transportation Fiscal Year 2020- 21 Revenue Sharing Program.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Charlottesville hereby commits to fund its local share of preliminary engineering, right-of-way and construction (as applicable) of the project(s) under agreement with the Virginia Department of Transportation in accordance with the project financial document(s).

BE IT FURTHER RESOLVED, that the City Manager is authorized to execute all agreements and/or addendums for any approved projects with the Virginia Department of Transportation.

ADOPTED this 1st day of July 2019.

**k. RESOLUTION: Agreement for Shared Staffing at Circuit Court - City of Charlottesville, Albemarle and Green Counties**

Agreement for Shared Staffing at Circuit Court

**RESOLUTION**

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, that the City Manager is hereby authorized to sign the following document, attached hereto, in form approved by the City Attorney or his designee.

Agreement for Shared Staffing at Circuit Court – City of Charlottesville, Albemarle and Greene Counties

**l. RESOLUTION: Capital Funding Transfer for the Purchase and Installation of City Hall Security Cameras \$26,000**

City Hall Cameras resolution \$26,000

Per request of Ms. Walker, this item was pulled from the consent agenda for a separate vote.

On motion by Ms. Hill, seconded by Mr. Signer, Council by the following vote APPROVED the resolution: 3-2 (Ayes: Ms. Hill, Ms. Galvin, Mr. Signer; Noes: Ms. Walker, Dr. Bellamy).

**RESOLUTION**

**Capital Funding Transfer for the Purchase and Installation of  
City Hall Security Cameras - \$26,000**

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the funding for the purchase and installation of City Hall security cameras is hereby transferred in the following manner:

**Transfer From:**

\$26,000	Fund: 426	WBS: P-00762	G/L Account: 599999
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**Transfer To**

\$26,000	Fund: 426	WBS: P-01023	G/L Account: 599999
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**m. ORDINANCE: Amending and Re-enacting City Code Chapter 18, Article III - Special events (carried)**

Special Events Ordinance

Mr. Jeff Fogle asked Council to repeal the amendment.

Ms. Tanesha Hudson spoke about the events of August 12, 2017, and the hindrances of the permit program.

Council by the following indication moved the item forward to the August 5<sup>th</sup> regular Council meeting (Ayes: Ms. Hill, Ms. Galvin, Mr. Signer; Noes: Ms. Walker, Dr. Bellamy).

**n. ORDINANCE: Renewing Lumos Networks Inc. - Telecommunications Franchise (carried)**

Lumos Telecom Franchise Memo and Agmt

**o. REPORT: Water Resources Protection Program Advisory Committee Annual Report (written report only)**

REP 2018 WRPP AC annual report

**p. REPORT: Rivanna Water Services Authority Quarterly Update to Council (written report only)**

RWSA written report

On motion by Ms. Hill, seconded by Mr. Signer, Council by the following vote APPROVED the consent agenda with the exception of items “l” and “m”, which were pulled for separate vote by the request of Ms. Walker: 5-0 (Ayes: Ms. Walker, Ms. Hill, Dr. Bellamy, Ms. Galvin, Mr. Signer; Noes: none).

On motion by Ms. Hill, seconded by Mr. Signer, Council by the following vote APPROVED consent agenda items “l” and “m”, which were pulled for separate vote by the request of Ms. Walker: 3-2 (Ayes: Ms. Hill, Ms. Galvin, Mr. Signer; Noes: Ms. Walker, Dr. Bellamy).

On motion by Ms. Hill, seconded by Dr. Bellamy, Council by the following vote AMENDED the regular agenda to add a Resolution to appropriate \$468,000 to Charlottesville City Schools – first of two readings: 5-0 (Ayes: Ms. Walker, Ms. Hill, Dr. Bellamy, Ms. Galvin, Mr. Signer; Noes: none).

**CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)**

Dr. Richardson advised that there were no items that required follow-up from the previous meeting.

**COMMUNITY MATTERS**

Ms. Erica Gaines ceded her time to Ms. Gudrun Campbell, who thanked Council for their action on approving the greenhouse gas climate goal resolution to become carbon neutral by the year 2050.

Ms. Claire Habel ceded her time to Mr. Martin Chapman, who thanked Council for passing the greenhouse gas reduction goals resolution, and in particular for incentives to local businesses.

Mr. Eugenio Schettini, City resident, spoke about manipulation with zoning in the form of proffers.

Ms. Virginia Moore with the Green Grannies of Charlottesville, sang a song for the environment.

Ms. Sharon Baiocco with the Green Grannies of Charlottesville, sang a song about biking in the City.

Ms. Page Dabney ceded her time to Caetano de Campos Lopes of The Charlottesville Climate Collaborative (C3), who thanked Council for passing a climate goals resolution. He encouraged promoting renewable energy and an emissions-free transportation system.

Ms. Joan Chapman thanked Council for action taken to approve greenhouse gas reduction goals. She asked Council to add a CO2 inventory every two years and focus on energy efficiency to reduce the burden on lower-income households, and to fund bike and walking paths to provide a safe means of transportation as an alternative.

Ms. Kat Maier spoke about zoning regarding Hinton Avenue, on behalf of neighbors in low income housing.

Mr. John Hall made suggestions about additional Charlottesville Area Transit service.

Mr. Mason Pickett advised that he was harassed by several members of the Civilian Review Board. He spoke in support of Council actions.

Mr. Ben Daugherty, City resident, spoke in support of removing the Thomas Jefferson birthday holiday and replacing it with a Freedom and Liberation Day holiday on March 3.

Ms. Lisa Woolfork, City resident, spoke in support of removing the Thomas Jefferson holiday and acknowledging historical context for replacing it with Freedom and Liberation Day on March 3.

Mr. Scott Warner, former city resident and current County resident, spoke in support of Thomas Jefferson holiday and gave an account of Thomas Jefferson's accomplishments.

Mr. Peter Krebs of the Piedmont Environmental Council, working with the Thomas Jefferson Planning Commission, talked about next steps for the Bike-Pedestrian initiative and a Regional Plan.

Mr. Harold Folley asked Council to pass the bylaws of the Police Civilian Review Board.

Ms. Donna Shaunesey, Chair of the local Sierra Club, applauded Council for passing the greenhouse gas resolution and advised that the Sierra Club will help to move the action items forward. She encouraged an inventory every two years.

Mr. Lewis Newman spoke about conspiracy in Charlottesville related to his personal situation.

The meeting recessed at 7:52 p.m.

The meeting reconvened at 8:12 p.m.

### **PUBLIC HEARING/ ORDINANCE: 750 Hinton Ave rezoning (carried)**

#### 750 Hinton Ave rezoning documents

Mr. Matt Alfele, City Planner, presented a summary of the request, noting that the Planning Commission recommended approval of amending the zoning map to reclassify the Hinton Avenue United Methodist Church Property from R-1S to Neighborhood Commercial Mixed Use Corridor District ("NCC"), subject to proffered development conditions.

Ms. Kim Crader with the Charlottesville district of the United Methodist Church gave further explanation about the project proposal. She addressed concerns expressed by neighbors. Project Architect Andy Thomas spoke on behalf of the Rachel's Haven Project.

After clarifying questions from Council, Ms. Walker opened the public hearing and noted a time limit of two minutes for each speaker, with three minutes allowed if necessary.

Public Hearing Speakers:

Ms. Vickie Bravo, City resident, with IMPACT, spoke in support of the proposal.

Mr. Mike Dunn, City resident, spoke in support of the project, sharing a story about his son who was born with developmental disabilities, but could benefit from a project such as this.

Mr. Lucius Bracey, City resident and owner of 759 Belmont Avenue, wished the church well in their endeavors, however requested R4 zoning to avoid fallback should the project be unsuccessful.

Ms. Susan Minasian, City resident and pastor of a church neighboring 750 Hinton Avenue, spoke in support of the proposal and implored Council to pass the zoning request unanimously. She asked that the neighborhood residents be part of the planning process.

Mr. Robert Lewis, City resident and Pastor of Hinton Avenue United Methodist Church, spoke in support of the proposal. He advised that the project is not a mission of the Hinton Avenue UMC, but of the more than 75 UMCs in the Charlottesville District, and that Hinton Avenue has the space to bring about an affordable housing option for individuals with intellectual disabilities in the community.

Ms. Kate Fincham, City resident, spoke in support of the proposal and asked Council to do due diligence to make sure current residents do not suffer from parking and other impacts. She asked Council to consider R4 zoning.

Ms. Nancy Carpenter, City resident, spoke in support of the proposal as a way to impact affordable housing in the City.

Ms. Sue Woodson, City resident, representing the United Methodist Church in this endeavor, spoke in support of the proposal and advised that her name is on the application.

Ms. Mary Anna Dunn, City resident, spoke about the difference between developmental and intellectual disabilities and asked that Belmont and Charlottesville be inclusive and welcoming.

Mr. Bob Kreps, City resident and parent of a daughter with developmental disabilities, spoke in support of the proposal.

Ms. Carol Starling, City resident, read a letter from Shirley Shotwell, long-time resident of Belmont, regarding the impact of NCC zoning and the lack of parking. She advised of restaurant proffers that have not been kept.

Ms. Allison Ruffner, County resident and former Belmont resident, advised that she left because of the NCC district. She also advised that her mother has a developmental disability. She spoke in support of the church's efforts, but questioned the City's use of NCC zoning.

Mr. Charles Gendrot, City resident, spoke of a failing zoning system. He advised that the NCC zoning does not serve the residents.

Ms. Kimber Hawkey, City resident, advised that she is not against the project, but would like the details to be added to the proposal, and to use zoning other than NCC. She advised that the zoning system has not worked for residents of Belmont.

Mr. Gary Bill, Albemarle County resident, raised in Belmont, spoke in support of the proposal to fill the need of affordable housing. He advised that Belmont has always been a commercial corridor.

Ms. Eleanor Biasioli, City resident, asked about ownership of the units once they are built. She asked about the selection process for applicants.

Mr. Frank Biasioli, joint owner of a property in Belmont, advised that he supports the vision of the Hinton Avenue UMC, but advised of issues still to be resolved. He asked that Council and the church take a step back and reconsider the zoning.

Ms. Kristin Szakos, City resident, spoke as a parent of a child with developmental disabilities, as former City Councilor, and as a neighbor. She spoke in support of the project.

Mr. Josh Carp, City resident, advised that housing policy is also climate policy. He spoke in support of the project, advising that building more multi-family dwellings that are walkable and more central to downtown helps to reduce greenhouse gases.

Mr. Matthew Gillikin, City resident who has worked for many years with individuals with developmental disabilities in various capacities, spoke in support of the proposal.

Mr. Mark Kavit, City resident, spoke in opposition to NCC zoning. He advised that it is time to update the Zoning Ordinance and finish the Comprehensive Plan.

Ms. Sarah Williamson, Belmont property owner, spoke in support of the proposal with the more restrictive proffers.

Ms. Ang Conn, Belmont homeowner, spoke in support of the project.

Mr. Eugenio Schettini, Belmont property owner spoke in support of the project, and advised the City to consider creating a new type of zoning rather than manipulating NCC zoning.

Ms. Julia Williams, Belmont resident, spoke in opposition of using the NCC zoning. She asked Council to hire a Long-range Planner and consultants and update the Zoning Ordinance as soon as possible.

Unknown speaker asked about the shelf-life for the offer of affordable housing.

Ms. Lois Sandy, County resident and former Charlottesville resident, spoke in support of the project. She advised that she moved from the City to the County because of affordability. She advised that Rachel's Haven is asking for rezoning, not funding and encouraged Council to vote in favor of the project.

Ms. Walker closed the public hearing.

City Attorney John Blair clarified information about proffers and NCC zoning. He advised that proffers do carry the effect of law as part of the Zoning Ordinance.

Mr. Signer asked about the financing of the project, and the designation of affordable units.

The applicant advised that this project would not be an income stream for the church.

Councilors acknowledged concerns of neighbors on both sides of the issue and noted the need for a Zoning Ordinance update.

Council agreed to move the item forward to the Consent Agenda for the next meeting.

The meeting recessed at 10:13 p.m.

The meeting reconvened at 10:30 p.m.

## **PUBLIC HEARING/ ORDINANCES/ RESOLUTION: Flint Hill Planned Unit Development**

### Flint Hill Planned Unit Development documents

Mr. Matt Alfele, City Planner, presented a summary of the rezoning request. The Planning Commission recommended approval. The applicant provided an update to the application regarding stormwater management. Mr. Alfele reminded Council that the Planning Commission recommended approval of the critical slope waiver by a vote of 6-0. He advised that without waiver of the street closing policy, the rest of the request cannot go through.

Mr. Blair advised of Council procedures.

#### **(1) Request for Waiver of Street Closing Policy**

Mr. Blair explained the recently passed street closing policy, and advised that Council would want to consider whether they want to set a precedent with approval of the waiver. The adoption of a new plat would avoid setting a new precedent regarding waivers.

Ms. Galvin expressed concern with the design of the Planned Unit Development (PUD).

On motion by Ms. Hill, seconded by Mr. Signer, Council by the following vote APPROVED the waiver of the street closure policy for the Flint Hill PUD conditioned on recordation of the plat at Flint Drive and Keene Court: 4-1 (Ayes: Ms. Hill, Dr. Bellamy, Ms. Galvin, Mr. Signer; Noes: Ms. Walker).

#### **(2) Public hearing: proposed vacation of Keene Court and a portion of Flint Drive**

Ms. Walker opened the public hearing. No one was present to speak.

The public hearing was closed.

#### **(3) Consideration of an Ordinance granting the vacation of Keene Court and a portion of Flint Drive (deferred to August 5, 2019)**

Mr. Charlie Armstrong, with Southern Development and Belmont Station LLC, applicant, gave a summary of the layers of the request and shared a handout with Council, showing the proposed plat. He

advised that the change in stormwater treatment from 100% to 76% is because of the feasibility of treating all nutrients and the developers did not want to make promises they could not keep.

Ms. Walker expressed concern about affordability in the number of dwelling units and the number of years. She also expressed concern that the applicant has not discussed the best interest of residents. Mr. Armstrong advised that he would work with Habitat for Humanity to address affordability.

Ms. Galvin expressed concerns about parking, curb cuts for driveways, sidewalk elevation changes, porches, and active neighborhood components.

Council considered whether to move the item forward to the next meeting as a consent agenda item. The poll resulted in the following (Yes: Mr. Signer; No: Ms. Galvin, Ms. Walker, Dr. Bellamy; Indifferent: Ms. Hill).

Mr. Armstrong asked if Council would consider a deferment for him to come back with a stronger affordable housing proffer. Councilors asked that he also present some architectural revisions as well as quality of life components. Council agreed to bring the item back to the August 5<sup>th</sup> Council regular meeting.

**(4) Consideration of an Ordinance granting a rezoning to allow development of the Flint Hill Planned Unit Development**

Based on the deferment of the “Consideration of an Ordinance granting the vacation of Keene Court and a portion of Flint Drive”, this item was not discussed.

**(5) Consideration of a Resolution granting a Critical Slope Waiver to allow development of the Flint Hill Planned Unit Development**

Based on the deferment of the “Consideration of an Ordinance granting the vacation of Keene Court and a portion of Flint Drive”, this item was not discussed.

**PUBLIC HEARING/ ORDINANCE: 209 Maury Avenue rezoning**

Mr. Matt Alfele, City Planner, presented a summary of the request. The Planning Commission recommended approval 4-2.

Applicant Charlie Armstrong of Southern Development, made a presentation. He advised that the Eugene Bradbury House would be saved, as a matter of a private agreement, and that the City cannot enforce the deed restriction.

Mr. Blair provided explanation about rezoning in relation to updating the Comprehensive Plan.

Ms. Hill asked for clarity around usage of the Eugene Bradbury House and a site plan.

The applicant advised that he would need to know what zoning would be approved by Council in order to move forward with spending significant funds to develop a site plan. He asked whether Council was in favor of the property being

Ms. Galvin expresses concern of there being no concept plan.

Mr. Alex Ikefuna, Director of Neighborhood Development Services, advised that the director can exercise discretion, and the applicant needed direction from Council regarding density before providing a tangible plan so that they could make an informed decision.

Ms. Walker opened the public hearing.

Ms. Adrienne Dent, Fry's Spring neighborhood, spoke in opposition to the proposal.

Mr. William Atwood, who sold the property to Charlie Armstrong, spoke about the subdivision of the land surrounding the house, and about approval from the sisters who grew up in the house. He spoke in support of the project and stated that he would be willing to work with Mr. Armstrong to make sure that the house is celebrated.

The public hearing was closed.

Councilors acknowledged that there was not enough information to move the item forward.

**ORDINANCE\*: Amend Section 2-6 of the Charlottesville City Code - City holidays (2nd reading)**

Mr. Blair reviewed procedure with City Council.

Dr. Richardson shared that according to his interactions, City employees indicated preference for a floating holiday.

On motion by Dr. Bellamy, seconded by Dr. Bellamy, Council by the following vote APPROVED deletion of the April 13 Thomas Jefferson birthday City holiday: 4-1 (Ayes: Ms. Walker, Ms. Hill, Dr. Bellamy, Mr. Signer; Noes: Ms. Galvin).

Dr. Richardson suggested that if Council make March 3 a City holiday, they approve a floating holiday in addition.

Ms. Walker indicated that the County has 12 holidays and the additional day would bring City employees into parity with the County for number of holidays.

On motion by Dr. Bellamy, seconded by Ms. Galvin, Council by the following vote APPROVED the addition of March 3 - Freedom and Liberation Day, as a legal City holiday: 5-0 (Ayes: Ms. Walker, Ms. Hill, Dr. Bellamy, Ms. Galvin, Mr. Signer; Noes: none).

On motion by Ms. Hill, seconded by Ms. Galvin, Council by the following vote APPROVED the resolution authorizing the City Manager to amend the City's Personnel Policies and Regulations to provide a floating holiday to City employees: 5-0 (Ayes: Ms. Walker, Ms. Hill, Dr. Bellamy, Ms. Galvin, Mr. Signer; Noes: none).

**RESOLUTION\*: Minority Business Task Force update**

Minority Business Task Force update

Ms. Hollie Lee of the Office of Economic Development, gave an overview of the business development aspects of the program. She also advised that the business equity loan program approved in February 2019, has been successful.

Ms. Jennifer Stieffenhofer gave an update on the success of small purchase threshold changes, and introduced Sarah Hawthorne who was employed as the Minority Business Procurement Coordinator.

Ms. Sarah Hawthorne spoke about creation of the Procurement Minority Business Directory and changes to procurement forms to include the supplier diversity initiatives. She advised that a helpdesk ticket was submitted so that internal systems will be programmed to track the minority and women-owned businesses that are not yet certified. Ms. Hawthorne noted that the City website has been updated with information about supplier diversity and vendor resources so that the public has more access to it.

Mr. Rek LeCounte presented the Minority Business Task Force Report for fiscal year 2019. Increases were indicated in the usage of minority and women-owned business.

A request was made to move from the Task Force model to a Commission.

On motion by Ms. Hill, seconded by Dr. Bellamy, Council by the following vote APPROVED the establishment of the Minority Business Commission: 5-0 (Ayes: Ms. Walker, Ms. Hill, Dr. Bellamy, Ms. Galvin, Mr. Signer; Noes: none).

#### **RESOLUTION\*: Racial Engagement and Equity Funds for Minority Business Program -\$35,300**

##### Racial Engagement and Equity Funds for Minority Business Program -\$35,300

Dr. Bellamy presented the item and Ms. Hollie Lee provided additional information. Future funds would be requested during the budget cycle; however, these funds would be needed as startup costs since this is the first year for the program and more significant costs would be needed for marketing.

Council discussed the processes of on-cycle and off-cycle budget requests.

On motion by Ms. Galvin, seconded by Ms. Walker, Council by the following vote APPROVED the funding of \$35,300 for the Minority Business Program: 5-0 (Ayes: Ms. Walker, Ms. Hill, Dr. Bellamy, Ms. Galvin, Mr. Signer; Noes: none).

#### **RESOLUTION\*: 915 6th Street SE Critical Slope waiver (1st of 1 reading) [Item pulled at the request of applicant]**

#### **REPORT: HomeStay Taxation/Regulation and AirBnB**

##### Report - HomeStay Taxation/Regulation and AirBnB

Mr. Todd Divers, Charlottesville Commissioner of the Revenue, introduced Maggie Reagan, his counterpart from Staunton, Virginia, whom he invited as subject matter expert. He also introduced Brenda Thornton, Business Tax Supervisor; Bob Rush, Business Tax Auditor; and Reid Broadhead from Neighborhood Development Services.

Mr. Divers explained that AirBnB is only one of a number of hundreds of vendors of short-term rental platforms. He gave a presentation explaining the taxation models of AirBnB, BRBO and other lodging taxes, as well as new legislation requiring payment of sales tax to the State.

Mr. Divers advised that he did not feel that he could enter into an agreement with AirBnB without violating State Code referencing auditable records. He cited transparency, fairness, uniformity and accountability issues.

Mr. Divers encouraged Council to change the requirement for annual re-application for short-term rentals to a one-time application.

Ms. Reagan spoke on behalf of the Commissioner of the Revenue Association of Virginia and advised that a subcommittee has been following this issue. She added that they will continue as it develops through sales tax and transient occupancy tax purposes to do the best they can for localities and the people who want to be in the business to ensure fairness and consistency without being controlled by outside entities.

### **REPORT: Jefferson Area Bike and Pedestrian Plan update**

#### Jefferson Area Bike and Pedestrian Plan update

Mr. Chip Boyles gave a presentation and referenced the recently completed Regional Bike and Pedestrian Plan. He noted excitement about the renewed and engaged public input toward bicycle use.

Mr. Boyles also reviewed next steps for the Plan, which included: presentations to decision-makers (when requested), ensuring that the Plan projects are incorporated in all future relevant plans, continued community input, multi-stakeholder coordination, project/corridor studies, grant applications and building the infrastructure.

Mr. Peter Krebs of the Piedmont Environmental Council answered questions and provided additional information.

### **REPORT: Vinegar Hill Park/Slave Auction Block update**

#### Vinegar Hill Parks/Slave Auction Block update

Mr. Jeff Werner, Historic Preservation and Design Planner, gave background and presented the report on Vinegar Hill Park. He showed a sample of Court Square markers.

He advised that the slave auction block plaque in the sidewalk at Court Square has not been worked on because there was no directive. Ms. Hill advised that on more than one occasion Ms. Galvin has requested that the slave auction block be given more prominence. Mr. Werner advised that there is a marker going up across the street (unrelated) and that he followed up with Charlene Green, and the Blue Ribbon Commission made recommendations.

Dr. Bellamy advised that this is an opportunity to be bold in erecting a monument to represent triumph.

Ms. Galvin suggested following up with Dr. Andrea Douglas for consultation and suggestions of what may be appropriate for a monument.

Mr. Brian Wheeler will work on a fact sheet for the Blue Ribbon Commission.

Council asked that the Historic Resources Committee bring an agenda item to a future Council meeting for options on the slave auction block. Mr. Werner advised that the agenda item could be available in a month or two.

**ALLOCATION - CHARLOTTESVILLE CITY SCHOOLS \$468,000 - for the gifted program, hiring of teachers. Ms. Walker gave context of recent discussions with Dr. Atkins and School Board members regarding a push-in model versus pull-out model to provide enrichment in elementary classes. (carried)**

Ms. Walker gave the context of recent discussions with Dr. Atkins and School Board members regarding a push-in model versus pull-out model to provide enrichment in elementary classes. Funds from the Citywide Reserves Fund (2/3) and Council Strategic Initiatives - Equity Fund (1/3), would be used for the initiative and Council will ask for a midyear update.

Council agreed to move the item to the August 5<sup>th</sup> consent agenda.

**OTHER BUSINESS**

None.

**MATTERS BY THE PUBLIC**

Mr. Elliot Harding recommended making Election Day or Juneteenth a City holiday.

The meeting adjourned at 1:12 a.m.