

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, November 4, 2013, 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 Rice

SECOND FLOOR CONFERENCE ROOM – November 4, 2013

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

On motion by Ms. Smith, seconded by Ms. Szakos, Council voted, (Ayes: Mr. Huja, Ms. Galvin, Ms. Smith, Ms. Szakos, Mr. Norris; Noes: None; Absent at time of vote: Mr. Norris), to meet in closed session for (1) Discussion and consideration of prospective candidates for appointment to City boards and commissions, as authorized by Va. Code sec. 2.2-3711 (A) (1); and, (2) Consultation with legal counsel for legal advice regarding the negotiation of the terms and conditions of a cost sharing agreement with the Albemarle County Service Authority for the costs of the Rivanna Pump Station, as authorized by Va. Code sec. 2.2-3711 (A) (7); and, (3) Consultation with legal counsel for legal advice regarding the negotiation of the terms and conditions of a fire services agreement with Albemarle County, as authorized by Va. Code sec. 2.2-3711 (A) (7).

On motion by Mr. Norris, seconded by Ms. Szakos, Council certified by the following vote (Ayes: Mr. Huja, Ms. Galvin, Ms. Smith, Ms. Szakos, Mr. Norris; 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 - November 4, 2013

ROLL CALL

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

AWARDS/RECOGNITIONS

Mr. Norris announced the City was awarded Platinum Certification in the VML 2013 Go Green Award challenge. Ms. Riddervold was present to accept the award and thanked staff and Council for their support. Mr. Norris also announced the new Public Works Department

Facilities Maintenance Building received LEED Gold Certification after a major renovation. Project Manager Tim Breitenbach was present to accept the award. The ecoREMOD energy house at 608 Reid Street also received a LEED Platinum Certification. Ms. Kathy McHugh was present to accept the award for this project and thanked Council for their leadership and UVA and sponsors for their support.

Mr. Norris announced that President Obama released his Climate Action Plan recently, and Council will sign a letter in support of the President's plan. Ms. Smith asked Council to include the resolution we passed at our last meeting in support of the EPA.

Mr. Norris announced the election openings tomorrow. Polls will be open from 6:00 a.m. - 7:00 p.m. Go to charlottesville.org/vote for more information. Ms. Szakos announced the CAT buses will be free tomorrow to assist in transportation.

Ms. Galvin announced the City is asking for a large evergreen tree to be donated for the Grand Illumination, the City's holiday tree lighting celebration. The event will take place on November 29 on the Downtown Mall. Contact Tim Hughes if you would like to donate a tree.

Ms. Galvin announced the next Our Town Charlottesville meeting will take place Thursday, November 7 for the Venable/Lewis Mountain/JPA/University neighborhoods at Venable Elementary School from 6:00 p.m. - 8:00 p.m.

Ms. Szakos read a proclamation for Col. Ronald Matthews in recognition of his service as Superintendent of the ACRJ upon his retirement. Col. Matthews was present to accept the proclamation and thanked Council for their recognition.

Ms. Szakos announced the application period is open for the Neighborhood Leadership Institute for the 2014 program. The deadline to apply is December 15. Go to www.charlottesville.org and click on the "I Want To" → "Apply For" for the application. She also announced City Hall is closed for the Thanksgiving holiday on Thursday and Friday, November 29-30.

Mr. Huja announced the applicant for the Meadowbrook Flats has requested deferral until the November 18 meeting.

Ms. Szakos announced the City of Promise film is being featured in the Film Festival.

MATTERS BY THE PUBLIC

Mr. Alex Hancock, Eaton Rd., said he is here to speak on property rights. The City is missing the long-term impacts of approving SUP and density increases without true clarification for the reasoning behind approvals.

Mr. Brandon Collins, 418 Fairway Ave., thanked Councilors for attending the RAD training sessions earlier in the day. The Housing Authority and City staff has a lot of work to do

before a decision can be made on RAD. He said housing has to be a priority to address poverty and homelessness in the City.

Ms. Nancy Carpenter, Albemarle County resident, said 1.2 million students from US public schools live in homelessness. She asked Council to continue to strive to employ affordable housing strategies.

Mr. Jim Rounsevell, 1113 Monticello Rd., said we ranked below average in economics, housing and demographics in a recent Livability.com survey. He said he is particularly concerned about the City's infrastructure and the impact on its economic health. Rebuilding the Belmont Bridge contradicts the City's vision as a green city.

Mr. Luis Shultz, 1809 E. Market St., said he spoke to Council at the Woolen Mills Our Town neighborhood meeting and at the Council meeting on October 21, accusing staff of illegally seizing private property. He received a letter from Mayor Huja denying his request for a hearing. He asked for Council to reconsider this decision.

Mr. John Cruickshank, 324 Parkway St., thanked Council for signing the letter of support for President Obama's Climate Action Plan.

COUNCIL RESPONSE

Mr. Huja said Mr. Shultz's letter included options for what he can do, and the accusations he is leveling against him are not valid. Ms. Szakos said the City Attorney has advised Mr. Shultz that he should go through the court system if he wishes to peruse legal action. Council meetings are not an appropriate forum for this topic.

Mr. Norris thanked Ms. Carpenter for bringing attention to the homelessness issue, which is a very important matter.

Ms. Galvin said we are growing homelessness by failing to grow an economy where people can work with dignity. She said Council has made good strides to reducing the obstacles for employment and continues their commitment to affordable housing.

Ms. Smith said there are a series of white papers provided during the homelessness symposium that covered several aspects of homelessness. She encouraged citizens to read them. She was concerned the "Housing First" approach puts all our eggs in one basket, and few problems have a one shot solution. We should continue looking at the problem holistically. She thanked Mr. Cruickshank and the Sierra Club for bringing forward the letter of support for President Obama's climate plan. She said she is comfortable that the City has done right by its obligations to fix the sewer problems where Mr. Shultz's property is involved.

CONSENT AGENDA

a. Minutes for October 21

Minutes for October 21

b. APPROPRIATION: State Criminal Alien Assistance Program (SCAAP) Grant for 2012-H4398-VA-AP for \$9,634 (2nd reading)

State Criminal Alien Assistance Program (SCAAP) Grant

c. APPROPRIATION: Charlottesville Area Transit Insurance Claim Recovery - \$9,321.20 (2nd reading)

Charlottesville Area Transit Insurance Claim Recovery

d. APPROPRIATION: Community Development Block Grant Funds for VIEW (Virginia Initiative for Employment not Welfare) Career Training - \$12,955 (2nd reading)

Community Development Block Grant Funds for VIEW

e. APPROPRIATION: Virginia Juvenile Community Crime Control Act Grant (VJCCCA) - \$452,704 (2nd reading)

Virginia Juvenile Community Crime Control Act Grant

f. APPROPRIATION: Runaway Emergency Shelter Program Grant - \$198,389 (carried)

Runaway Emergency Shelter Program Grant

g. APPROPRIATION: Gordon Avenue Library Masonry Project - Albemarle County Reimbursement - \$33,905.81 (carried)

Gordon Avenue Library Masonry Project

h. RESOLUTION: Sale & Purchase Agreement Amendment for Elliott Avenue with Southern Development & Greater Charlottesville Habitat for Humanity

Sale & Purchase Agreement Amendment for Elliott Avenue

i. RESOLUTION: Addition of Bike/Pedestrian Committee Member to PLACE Design Task Force

Bike/Pedestrian Committee Member to PLACE

j. RESOLUTION: Setting Rate for Payment in Lieu of Parking

Setting Rate for Payment in Lieu of Parking

Ms. Smith asked about item h regarding the Elliott Avenue site. Under 1.1(b) of the Development Plan, it states the condition that Public Housing residents are eligible for 25% of the affordable units and Habitat will work with them. She requested that written notice would be provided along with documentation. She confirmed that the time in the resolution is six months. She asked if anything has been found during testing at the site. Ms. Smith asked staff to report what they find as they go along. She asked what the delay is. Ms. McHugh said they itemized 3 specific issues: 1) incorporating green components into the design, including an item not currently permitted by City code; 2) the site survey showed a different property outline than what the City GIS mapping program showed; and 3) work with the Tree Commission to incorporate trees that suffered some conflicts with power lines. Ms. Smith asked for a status update on the sidewalk from Elliott up to Ridge Street.

Ms. Galvin asked Mr. Jones about street trees and how to accommodate them.

Ms. Szakos said we have over half a million dollars in grant funding for youth initiatives in the City, and said the work of our Department of Human Services is very important.

On motion by Ms. Szakos, seconded by Ms. Galvin, the consent agenda passed unanimously.

ORDINANCE: Dominion Power/Century Link Easements for RWSA's Ragged Mountain Dam Project (carried)

Dominion Power/Century Link Easements for RWSA's Ragged Mountain Dam Project

Mr. Brown presented to Council. The first ordinance is a conveyance of an easement to Virginia Dominion Power, and the second ordinance is a conveyance of an easement to Century Link, both of which arise as a result of construction on the Ragged Mountain Dam.

Ms. Smith asked if the gravel roadway and the clearing were there before the project started. Mr. Doug March, Senior Civil Engineer for Rivanna, said the roadway in question is what will cross over the new earthen dam. Ms. Smith said there were many people who were involved in this project and acknowledged the value of community engagement.

On motion by Ms. Galvin, seconded by Ms. Szakos, both easements carried.

ORDINANCE: Tree Conservation Ordinance (2nd reading)

Tree Conservation Ordinance

Mr. Maynard Sipe, Vice Chair of the Tree Commission, presented to Council. The Commission recommended approval in the form as presented in Council's materials this evening.

Mr. Huja asked about consulting the City Arborist. Mr. Sipe said the Commission determined this would over-complicate the process and felt comfortable relying on the expertise of the City staff's arborist. Changes may be made in the future if there appears to be issues.

Ms. Smith asked about the section regarding tree removal in conjunction with development activity. Mr. Sipe said the intention was that the City arborist would be consulted to evaluate the impacts of development before it happens. This is intended to be a proactive requirement to ensure protection for the tree if the impact cannot be avoided. Mr. Harris explained that if there is a possibility City work may damage a tree, it will then go to the Tree Commission for a recommendation for action to Council. Ms. Szakos said it should read "a request to proceed shall be submitted", because it currently reads as though a request for removal is the only option. Mr. Harris said he will change the wording to align with the intent of Council.

Mr. Brown said if the City Arborist determines the tree would be damaged and the City wishes to continue with the land-disturbing activity, it will then come before Council.

On motion by Mr. Norris, seconded by Ms. Szakos, the ordinance was approved with amendments to clarify that a designated tree determined to be in danger of damage by City work will be evaluated prior to any work being conducted, and that Council would be afforded the opportunity to direct that additional precautionary measures be taken to preserve the tree, or in the alternative, whether the tree should be removed were approved.

RESOLUTION: Authorizing Use of Green City Initiative Funds for a Mini-Grant Incentive Electric Vehicle Charging Network - \$50,000

Authorizing Use of Green City Initiative Funds for a Mini-Grant Incentive Electric Vehicle

Ms. Susan Elliott presented to Council and reviewed the proposal to start seeding an Electric Vehicle charging network. She answered questions from Council about how the project would operate. Mr. Huja confirmed these stations would be owned by private enterprises, not the City. Ms. Galvin commended staff for thinking outside the box.

On motion by Ms. Smith, seconded by Ms. Szakos, the resolution passed unanimously. Ms. Szakos said this initiative could improve tourism.

RESOLUTION: The Standard at 855 W. Main Street Special Use PermitThe Standard at 855 W. Main Street Special Use Permit

Mr. Brian Haluska presented to Council. He reviewed the item and gave an overview of the Planning Commission's recommended conditions for approval.

Ms. Galvin said she has issues with the language in item 7 regarding parking. She said is concerned the 20% of the parking spaces allotted for bicycles will not be enough if it is 20% of the total number instead of 20% of the square footage. Ms. Szakos suggested specifying the number according to the number of units rather than as a percentage of parking. Ms. Galvin recommended .5 bicycle spaces per bedroom, or 300 bike spaces. Mr. Huja said this is too high and recommended one per unit. Ms. Galvin agreed to the compromised number. Ms. Szakos said she agreed as well.

Mr. Huja said promotional space should be up front. He confirmed there will still be a courtyard. Ms. Smith asked about the residential spaces on the first floor. Mr. Haluska said as long as the residential spaces are far enough to the back, it is acceptable. Ms. Smith asked if there is a requirement that the building be mixed use. Mr. Haluska said it is a requirement.

Ms. Galvin said the applicant has made some offers to provide community benefits, none of which could be tied as a condition of the SUP. She asked about a contribution to the workforce development fund. Mr. Brown said this is a separate issue from the SUP permit.

Mr. Norris asked John Williams of Williams & Associates, representing Landmark Properties, to give an update of the public benefit activities planned in conjunction with this project. Mr. Williams described meetings with nearby residents and staff, reviewed policies aimed to educate the local construction community, and their work with the economic development department to hire local firms. They have also committed to a \$50,000 contribution for housing development use and asked Council to see that the contribution is used for neighborhoods adjacent to the project. Mr. Huja said these are commendable recommendations, but they are not related to the SUP itself.

Mr. Norris said these projects serve the best of both worlds by allowing University investment along West Main Street. However, he said it is important to be assured we are not creating a monoculture up and down West Main Street. Mr. Haluska said Council has the needed mechanisms to control the nature of development along the corridor.

Ms. Galvin said she thinks there is a fine balance. She does not believe we are destroying the character on this street, but we should be cautious going forward.

Ms. Szakos said there is a problem with pressures on housing on either side of this project, and rents are on the rise. This is going to be a valve to relieve some of that pressure and increase accessibility to affordable housing.

On motion by Ms. Galvin, seconded by Ms. Szakos, the SUP was passed with the proposed conditions. (Ayes: Ms. Szakos, Ms. Galvin, Mr. Huja, Mr. Norris; Noes: Ms. Smith.)

Mr. Norris asked that the developer's request to divert housing funds to the adjacent neighborhood be honored. Ms. Szakos and Mr. Huja said they would like to address this at a different meeting in the framework of a city-wide policy. Ms. Galvin said this is an innately efficient building because of its height and structure.

ORDINANCE: Affordable Dwelling Units Ordinance Revision (carried)

Affordable Dwelling Units Ordinance Revision

Ms. McHugh presented to Council on amendments to the zoning and subdivision ordinance.

Ms. Szakos asked said the HAC Committee thought this was a good way to go forward.

On motion by Ms. Szakos, seconded by Ms. Galvin, the ordinance carried for a second reading.

OTHER BUSINESS

Ms. Galvin requested that Mr. Jones ask about the report-out for the Our Town meetings. She asked for an overview of the scorecards for P3. Mr. Jones said staff is working on loading these onto the website as soon as possible.

The meeting was adjourned.

A handwritten signature in cursive script that reads "Gaige Rice". The signature is written in black ink and is positioned above a horizontal line.

Clerk of Council