

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, January 3rd, 2011, 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 – January 3, 2011

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

On motion by Dr. Brown, seconded by Ms. Szakos, Council voted (Ayes: Dr. Brown, Mr. Huja, Mr. Norris, Ms. Szakos. Noes: None. Absent at time of vote: Ms. Edwards), to meet in closed session pursuant to section 2.2-3712 of the Virginia Code for consultation with legal counsel regarding the negotiation of the terms and provisions of a local water supply plan cost sharing agreement with the Albemarle County Service Authority, as authorized by Virginia Code sec. 2.2-3711 (A) (7).

On motion by Dr. Brown, seconded by Ms. Edwards, Council certified by the following vote, (Ayes: Dr. Brown, Ms. Edwards, 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 CHAMBER – January 3, 2011

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

AWARDS/RECOGNITIONS

Mr. Norris announced that the Thomas Jefferson Health Department received recognition from the National Association of County and City Health Officials "Project Public Health Readiness(PPHR)." PPHR assesses emergency health preparedness and assists local health departments, or groups of local health departments working collaboratively as a region, with

responding to emergencies. Dr. Lillian Peak, Director of the Thomas Jefferson Health Department, spoke on their behalf.

ANNOUNCEMENTS

Mr. Norris announced the City's free Christmas tree pick-up program. The program begins January 10th for City residents. The recycled trees will be used as mulch around City parks.

Mr. Norris also discussed the new web poll located on www.charlottesville.org. The poll tracks responses for new potential destinations from the Charlottesville-Albemarle Airport.

Mr. Norris noted that City Hall will be closed January 14th (Lee-Jackson Day) and January 17th (MLK, Jr. Day). CAT and trash pick-up services will continue as normal. The City Council meeting will move to Tuesday, January 18th. The BAR will meet January 18th in the basement conference room.

Ms. Edwards discussed the "I Am College Material" seminar hosted by the local NAACP. This college-readiness seminar will occur January 29th from 9:30 a.m. – 12:30 p.m. at the Central Library in the downtown conference room. Students of all grades are welcome, and refreshments will be served. For more information please contact Charles Lewis at 964-6166.

Ms. Edwards also announced the "Peter and the Wolf" production at Charlottesville High School January 22nd at 3:00 p.m. and 7:00 p.m.

Ms. Szakos announced the next town meeting in the "Our Town Charlottesville" series, which will take place Thursday, January 13th at First Baptist Church located on West Main Street.

MATTERS BY THE PUBLIC

Ms. Sarina Cooper, City of Charlottesville student, spoke on behalf of dredging the dam and believed that option would be more beneficial for the City.

Mr. Tom Oliver, 4632 Green Creek Rd., Chairman of the Piedmont group of the Sierra Club, said the Piedmont group supports phased increases, but only if and when facts reveal more water is necessary. He believes the proposed earthen dam contradicts the City's goal of sustainable living. He thanked Council for their leadership in insisting better, more examined information be made available during this deliberation.

Mr. Paul Long, 1410 Grady Ave., said there is an issue with homelessness, and Council's actions cater to the upper-middle class. He proposed the City allocate \$2 million for housing and other services for the homeless.

Ms. Pat Napoleon, 700 Lyons Ave., said it is wasteful that the City has waited so long to dredge. She encouraged Councilors to remember to think of the City residents they serve and repair the dam for dredging activity.

Ms. Phyllis Koch-Sheras, 340 Cedar Bluff Rd., said many of the City's resources will be at risk if the City decides to construct a larger dam. She thinks the City's original decision is moral, economical, and will retain the character of Charlottesville she has grown to love.

Mr. Rich Collins, 108 Wilson Ct., said he understands there are other pressing issues occurring with City, but he encourages the Councilors to keep pressing on to solve the water issue. He believes Council has ironically created regional cooperation and highlighted its importance.

Mr. Len Wolowiec, 504 Rookwood Pl., said the entire debate stems on what the cost of dredging is. He questioned how a decision could be made without the facts.

Mr. Jack Cann, 450 Woodlands Rd., believes Council should make a decision that takes care of the City's resources. He thinks there are unintended consequences that can occur by going in the same direction as the County.

Ms. Collette Hall, 101 Robertson Ln., believes constructing a new dam does not make fiscal sense. By approving a new dam, the City is committing to approving a future multimillion-dollar pipeline.

Mr. Sam Freilich, 305 Rookwood Pl., said the City plan is more logical than the County's plan. He believes dredging will retain outdoor activity while providing necessary water.

Mr. Dan Bieker, 4174 Laird Ln., believes the 2006 water supply plan fails to value conservation. He said dredging would address continued conservation concerns.

Ms. Betty Mooney, 201 Sunset Ave., said that voting for an earthen dam is like voting for an entire new water facility. She said the earthen dam is like "dropping a bomb" on the reservoir. She does not think the idea of an earthen dam is affordable or reasonable.

Mr. Stratton Salidis, 704 Graves St., echoed what others said regarding the earthen dam.

Mr. Chris Murray, 1217 Hazel St., spoke on behalf of JABA and the Timberlake Place PUD. He urged the Councilors to work with Mr. Tolbert's recommendation.

Mr. Bob Fenwick, 901 E. Jefferson St., said the City is in an old-fashioned water fight with the County and encouraged Council to stick to their original plan or risk losing a major asset in the Ragged Mountain Dam.

Mr. Scott Bandy, Cherry Ave., said he is in favor of choosing a water plan that addresses supply and not simply sustainable efforts. He said the Citizens in Favor of a Sustainable Water

Plan group are simply a minority amongst the larger citizenry who are in support of an earthen dam.

Mr. Peter Loach, Rose Hill Drive, spoke on behalf of PHA and expressed gratitude to Council for their proposal to fund PHA. He hopes to utilize the funding from the City to leverage millions of dollars towards affordable housing in the City.

COUNCIL RESPONSES TO MATTERS BY THE PUBLIC

Ms. Szakos responded to Mr. Wolowiec's question about the RFP. She said it was a good question, and Council hopes to receive more information once people get back on schedule following the holidays.

Ms. Edwards responded to Mr. Long's comment about homelessness. She said the issue of homelessness is complex; however, the City has a fiscal and ethical responsibility to address those issues. She said she wants to work towards making Charlottesville a city that offers options and support for the homeless. Housing is a critical aspect of the problem.

Mr. Brown thanked Mr. Collins for his kind words and mentioned that many groups who work extensively with rivers are in favor of the earthen dam because they want to ensure the City will have enough capacity to limit the amount of water taken from streams and rivers unnecessarily. He asked about the DEQ memo and requested clarification on the suggestion to dredge as well as a phased height increase.

Mr. Huja said he appreciated all the comments expressed and wanted to remind the public that the Council decision to dredge was unanimous, and all Councilors supported a plan that conserved as much water and money as possible.

Mr. Norris also thanked everyone for coming out to speak. He said he heard from the public concerning their opposition to the 2006 water supply plan and how expensive it is. He hopes the report from Black & Veatch and DEQ will clarify any confusion so the Council can adopt a plan.

CONSENT AGENDA

Mrs. Szakos requested more time to examine item i regarding electronic gaming and suggested Council defer that item to the next meeting.

On motion by Mr. Norris, seconded by Mr. Huja, the following consent agenda items were approved, except item i, which was deferred until January 18th: (Ayes: Ms. Edwards, Mr. Norris, Dr. Brown, Mr. Huja, Ms. Szakos. Noes: None.)

- a. Minutes of December 6
- b. APPROPRIATION: \$167,312.71 – CATEC VDOT Funds (2nd reading)

- c. APPROPRIATION: \$5,000 Stipend – Project Child Hands Participation (2nd reading)
- d. APPROPRIATION: \$1,954.92 – 2010 Charlottesville Police Department Foundation Donation (2nd reading)
- e. APPROPRIATION: \$6,187.50 – U.S. Department of Justice 2010 Bullet Proof Partnership Reimbursement Grant (2nd reading)
- f. APPROPRIATION: \$12,250-Community Attention Youth Internship Program (carried)
- g. APPROPRIATION: \$157,143- Victim Witness Assistance Program Grant (carried)
- h. RESOLUTION: Amendment of Vendor Fees (2nd reading)
- ~~i. RESOLUTION: Electronic Gaming (deferred until January 18th)~~

PUBLIC HEARING/RESOLUTION: LEASE OF 608 RIDGE ST.

Ms. Kathy McHugh, Housing Development Specialist, delivered the staff report. Ms. McHugh requested the upper two stories be leased to the Local Energy Alliance Program (LEAP), and the bottom story be leased to a visiting professor of China working on the EcoRemod project.

The public hearing was opened.

Ms. Collette Hall, 101 Robertson Ln., asked if this property would be rent to own, and the length of tenure of LEAP's residency in the house.

Having no further speakers, the public hearing was closed.

Ms. McHugh said the lease will run two years, with an option to renew for one year.

Ms. Edwards asked if it would be a better option to end the lease after two years and put the house on the market.

Ms. McHugh clarified that this is not a permanent home for LEAP.

Ms. Szakos noticed some discrepancy from the lease agreement in her file and from what Ms. McHugh had provided in her presentation.

Mr. Tolbert, Director NDS, said the City intends to have the lease for the upper two stories for two years, with the option to renew for an additional year. Mr. Brown suggested that if staff desired 608 Ridge St. not return to Council for approval of a new lease agreement, then the language giving an option to renew must be in the agreement. Mr. Tolbert, however, thought it would be better not to include the language so that Council could review the lease after two years and determine if the property would be better served for LEAP or a new owner.

On motion by Mr. Huja, seconded by Mr. Brown, the amended lease agreement carried over for a second reading, contingent upon extending the lease agreement from February 2011 – February 2012 to February 2011 – February 2013. Additionally, the option to renew following the end of the lease was removed from the language. (Ayes: Ms. Edwards, Mr. Norris, Dr. Brown, Mr. Huja, Ms. Szakos. Noes: None.) .

REPORT: BLACK & VEATCH RAGGED MOUNTAIN DAM REPORT

Mr. Greg Zamensky, representing Black & Veatch, gave Council a brief history and synopsis of what has been done up until this point.

Mr. Norris asked Mr. Zamensky to provide insight into the work of Black & Veatch. Mr. Zamensky gave a brief explanation and said he worked within the water department, a department that works extensively on water projects primarily in municipalities and jurisdictions. Black & Veatch has been providing dam engineering service since the early 20th century.

Mr. Zamensky said Black & Veatch is currently at a conceptual design level and looking to advance to an intermediate stage.

Dr. Brown asked what the timetable is to reach an intermediate level on the earthen dam and what costs will be associated with advancing to an intermediate level.

Mr. Zamensky did not know exactly what the costs would be; however, the process of reaching an intermediate level could take up to three or four months.

Mrs. Szakos asked Mr. Zamensky to clarify the cost of constructing the thirteen-foot dam and building later, versus building the dam at full height now. Mr. Zamensky said building the thirteen-foot dam and building on top of that as necessary would cost \$1 million in 2010 dollars.

Mr. Norris asked Mr. Zemensky to discuss how dam safety would be addressed. Mr. Zamensky said he has spent his career on dam projects, and the design chosen will address all criteria of Virginia dam regulations and all industry standards. He said it is difficult to predict dam safety over 50 years, but generally the dam industry prides itself on durable, safe dams.

Ms. Szakos asked if it were feasible to construct a thirty-five foot dam and retain the thirteen-foot reservoir. Mr. Zamensky said it is conceivable; however, the fluctuations of the reservoir and the effect that would have on the dam and surrounding environment would need to be calculated.

Mrs. Edwards said she appreciated Mr. Zamensky's time and the work he has contributed, and she commended him on his effort.

Mr. Norris wanted to make sure the public knew there would be no vote that evening, but Council is hopeful to make a decision very soon.

Mrs. Szakos asked if staff or other professionals involved wanted to comment on Mr. Zamensky's report.

Mr. Thomas Frederick, Executive Director RWSA, said that he is not sure what the City's end goal is, and until the City responds to the December 14th progress report he is unsure how to respond to the technical aspects of the report.

Mr. Norris' said the design review for the option proposed by Black & Veatch is coming along faster than the review for the earthen dam.

Dr. Brown asked what the City's role would be if the City does not intend to pay for the majority of the project.

Ms. Szakos was unsure why the County would be opposed to the current proposal, as it is more cost-effective.

Dr. Brown asked when the Council would receive a response from the DEQ. Mr. Jones said a response is expected within the next two weeks.

Mr. Frederick said the RWSA is stuck in the middle between the County and the City, because neither side is communicating. Mr. Norris said the County refuses to talk with the City. Dr. Brown said he was curious to know what would have happened with the proposed meeting among DEQ, County, and City representatives; however, the County refused to meet with the DEQ present.

Mr. Huja said that the County and City are a partnership and nothing will be solved unless collaboration is practiced. Council agreed to vote on a resolution following the report from the DEQ.

Mr. Norris called for a five minute recess.

REPORT: VOTER REGISTRAR REPRECINCTING UPDATE

Ms. Sheri Iachetta, General Registrar, presented a power point presentation that outlined the registrar's office proposed reprecincting. Ms. Iachetta said the 2010 Census numbers are expected sometime in February, and then she can assess the precincts more closely. The precincts must be final by November 2011.

Ms. Szakos wanted to ensure that if a big change occurs with the precincts, there will be a substantial marketing campaign behind the changes.

Mr. Huja suggested retaining the Venable precinct instead of changing it to St. Anne's.

Dr. Brown requested that pedestrian access be stressed when creating new precincts.

Mrs. Szakos recommended the Board of Elections use walkability as a guideline when creating new precincts. She said smaller precincts will satisfy those guidelines.

Ms. Iachetta suggested adding more precincts to accommodate future growth and focusing on marketing and public notification.

Dr. Brown said he wants to keep the original precinct names and tweak the lines slightly to address population growth. This process should not become more difficult than necessary.

Ms. Iachetta asked Council to approve her request for an advisory group that will flush out the new census numbers and honor the suggestions of Council.

Council approved her request.

REPORT/RESOLUTION: ALLOCATION OF CHARLOTTESVILLE HOUSING FUND DOLLARS

Mr. Jim Tolbert presented to Council. He discussed projects and opportunities that are in place to expand affordable housing within the City.

Mr. Norris said he would like to see more funding for the Albemarle Housing Improvement Program (AHIP) to help with the elderly and others in need of housing repair. Mrs. Szakos agreed with Mr. Norris.

Ms. Szakos asked about the Land Trust's funding. Mr. Tolbert said \$25,000 will help the Land Trust become established and support their growth. He said the money will show the City supports their efforts and encourages their expansion.

Mr. Huja was skeptical about funding \$15,000 to ASG. Mr. Tolbert responded that the funding would serve as rent subsidies. Mr. Norris and Mr. Huja were concerned the City would give the impression this funding would occur annually.

Ms. Edwards said she would rather see funding for ASG than the Land Trust.

Dr. Brown said he wants to be certain projects serve City residents.

Ms. Edwards disclosed that she works part-time for JABA.

Mr. Huja disclosed that he serves of the boards for PHA and JABA.

Mr. Norris clarified that PHAR matches for BAMA Works funding is for four years instead of three, and their funding will extend into next year when the City will have the opportunity to match.

Dr. Brown commended Mr. Tolbert for finding projects to increase affordable housing and being creative in the process.

On motion by Mr. Huja, seconded by Mr. Brown, the allocation of Charlottesville Housing Fund FY 2011 was approved unanimously as follows:

AHIP – \$100,000
 CRHA – \$150,000
 Elliot Ave. – \$70,000
 ASG – \$15,000
 Habitat – \$400,000
 PHAR – \$25,000
 Down Payment Assistance – \$40,000

Additionally, a commitment for FY2012 contingent up these organizations receiving tax credits and those dollars being appropriated:

JABA-\$500,000
 PHA-\$450,000

(Ayes: Ms. Edwards, Mr. Norris, Dr. Brown, Mr. Huja, Ms. Szakos. Noes: None.) .

OTHER BUSINESS

Ms. Edwards requested the Councilors begin thinking about Council retreat.

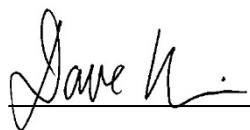
MATTERS BY THE PUBLIC

Mr. Richard Lloyd, Albemarle County resident, said the I.T.R.T is not qualified to review the work of Black & Veatch. He said the cost of the spillway will exceed the cost of the dam, and the Black & Veatch proposal is far more appropriate regarding phasing.

Mr. Downing Smith, 810 Locust Ave., discussed the 409 Stadium Rd. site. He said he is concerned about trees removal and said the site is difficult to develop due to traffic issues.

Ms. Dede Smith, 2652 Jefferson Park Cir., said reprecincting is important. She said there is research explaining the religious impact of voting in churches.

The meeting was adjourned.



President



Clerk