

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, June 20, 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 – June 20, 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 Mr. Huja, Council voted (Ayes: Dr. Brown, Ms. Edwards, Mr. Huja, Mr. Norris, Ms. Szakos. Noes: None) to meet in closed session pursuant to section 2.2-3712 of the Virginia Code, (1) For consultation with legal counsel regarding the negotiation of the terms and conditions of a community water supply cost sharing agreement with the Albemarle County Service Authority, as authorized by Virginia Code sec. 2.2-3711 (A) (7); and, (2) For discussion and consideration of prospective candidates for appointment to City boards and commissions, and for the annual performance review of the Clerk of City Council, as authorized by Virginia Code sec. 2.2-3711 (A) (1)

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 CHAMBERS – June 20, 2011

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

ANNOUNCEMENTS

Mr. Norris read a letter of thanks from Pastor Elizabeth Foss of Wesley Memorial regarding Chief Tim Longo's service to the community.

Mr. Norris recognized the History Resources Committee for their work. He recognized Ms. Melanie Miller and read a portion of the resolution.

Mr. Huja announced the Community Band Festival on Saturday, July 2nd at the Charlottesville Pavilion from 10:00 a.m. until 8:00 p.m.

Ms. Szakos announced Free Swim Days in Washington Park, every Saturday evening starting June 25th from 5:30 p.m. to 7:30 p.m.

Dr. Brown said the 4th of July ceremony at Monticello is a wonderful annual event that citizens should attend.

Mr. Norris welcomed a group of women in government leaders from Afghanistan who were present at the meeting. He also noted the U.S. Conference of Mayors endorsed a resolution calling for a speedy end to military entanglements abroad.

MATTERS BY THE PUBLIC

Mr. Brandon Collins, 536 Meade Ave., thanked Mr. Norris for signing on to the Mayors for Peace resolution and asked for follow-through with action. He asked Council to wait to move on the parkway until after rulings from lawsuits come through.

Mr. James Halfaday, 2423 Sunset Rd., said we need to fix Belmont Bridge for residents and small businesses in the Belmont area. Trees are not properly maintained. Snow will break the fence this winter when it is plowed. Pedestrian safety is an issue.

Ms. Colette Hall, 101 Robertson Ln., asked why City rate payers are paying more while customers of the Albemarle Service Authority will not. She asked Council to pull item m on the consent agenda regarding utility rates for further discussion on the rate increases. She asked for clarification on report five of the agenda on whether the resolution was for a purchase of lots *for* Habitat for Humanity, or a purchase of lots *from* Habitat for Humanity.

Mr. Michael Farabaugh, 24 Roslyn Height Rd., asked Council to vote against the bypass. It is not actually a bypass, it will not fix traffic problems, and it is costing the City money because of the real estate that has been sitting idle without collecting property taxes.

Mr. Bob Fenwick, 901 E. Jefferson St., asked the City Manager for an update on the status of the RFP for Dredging the Rivanna River. He asked who was paying for the new dam. He said his water bill has increased by 200% in eight years and said citizens, especially those on fixed incomes, cannot keep up with such increases. He asked Council to insist on showing where the money for the water plan is coming from before voting on further increases.

Mr. Stratton Salidis, 704 B Graves St., said building for people instead of cars is a good thing, and he is pleased Council seems to agree. Building the parkway will help

build more sprawl. People will ask to widen the parkway almost as soon as it is built. Subsidize walking, biking and transit instead.

Mr. Scott Beyer, 2556 Summitt Ridge Trail, said much of what contributed to America's renaissance was the rededication of local governments to widescale urban projects. These projects have lured people back from the suburbs into the cities. Beautification projects often get criticized by budget hawks, but they ignore the vast economic returns that can result from urban beautification. He encouraged the City to have ambitious goals for McIntire Park East. Balance natural landscapes with human creativity; it should no longer be a golf course.

Mr. Tom Olivier, 4632 Green Creek Rd., of Schuyler, Virginia, said he opposes construction of the US 29 Bypass. It risks the water supply, exposes six schools worth of children to elevated motor vehicle operations, disturbs neighborhoods, and will not address local congestion. The June 8th vote of the Albemarle Supervisors was accomplished in a manner that limited public scrutiny. The Piedmont Group of the Sierra Club urged Council to direct the MPO not to support construction of a Route 29 Bypass.

Mr. Jeff Werner, 212 Wine St., said he was speaking on behalf of the Piedmont Environmental Council. Regarding the June 8th county vote to reverse their opposition to the Bypass, they said the Secretary of Transportation offered to fund the bypass. Funding for the project would come from reallocating the money from other projects. Council should oppose the bypass and thoroughly evaluate all the facts before casting a vote at the MPO.

Mr. Morgan Butler, 201 W. Main St., with Southern Environmental Law Center, said the Route 29 project will not effectively reduce traffic, and will adversely impact area schools and damage neighborhoods. Instead, create a better network of parallel roads and make improvements to existing intersections. Vote to uphold the MPO's opposition to the Bypass.

Ms. Rebecca Quinn, 104 4th St. NE, asked if there will be a public meeting or hearing on the water plan cost share agreements. She asked if a citizen representative committee request has been submitted to Rivanna. She requested that a member of DCR attend the public meetings on the dam inundation zone maps.

Ms. Martha Wilhelm, 100 Roslyn Heights Rd., commended Council for allowing the Route 29 Bypass to be addressed in an open forum. She asked Council to act on the wishes of those constituents who say no to squandering limited transportation funds on a project that has been concluded to be ineffective and obsolete and should not be built. Support using funds for genuine improvements instead.

COUNCIL RESPONSES TO MATTERS BY THE PUBLIC

Ms. Szakos said she supported citizens speaking on the Bypass. To Mr. Halfaday, building the Belmont Bridge was one of the things on our list of priorities that did not get funded. She said she agreed with Mr. Beyer that urban beautification is hugely important although she is not sure the park is something we need to build over. She would also like to see reports on the dredging study.

Mr. Jones said the RFP for dredging is on the agenda for the next RWSA Board Meeting. There will be a public hearing on the cost share agreement, which is yet to be scheduled. Staff has asked for a public meeting held by Rivanna to answer any questions concerning the inundation zone.

Ms. Edwards asked if DCR can attend the public meeting. Mr. Jones said we will extend them an invitation. She asked for an answer to Ms. Hall's question about the utility rates. Mr. Jones said connection fee revenues offset potential increases for the county, which would have been about 17%. She said Mr. Farabaugh did a fine job speaking and should be inspired to continue to provide comment at other public meetings.

Dr. Brown said he agreed that Mr. Farabaugh did a good job speaking. He said to Mr. Fenwick that dredging and building the dam are not comparable. A dam provides a lot more water. Fully dredging gives us about fifteen days of storage, and that is not a lot when looking at past needs.

Mr. Huja commended Mr. Beyer for his comments on beautification. He agreed with his comments on sculpture and landscaping.

On motion by Dr. Brown, seconded by Mr. Huja, the following applicants were appointed: to CDBG Fifeville Task Force: Antonia Lolordo, Tate Huffman, Missy Wernstrom. To the Vendor Appeals Board: Jennifer McKeever and Aristeia Vlavianos. To the CACVB, Kirby Hutto. (Ayes: Dr. Brown, Mr. Huja, Ms. Edwards, Mr. Norris, Ms. Szakos; Noes: None.)

CONSENT AGENDA

Mr. Huja asked who will implement the promise neighborhood matching grants. Ms. Szakos said this was a contract through Children Youth and Family Services.

Ms. Edwards and Mr. Norris said they do not support the increase in utility rates.

On motion by Dr. Brown, seconded by Ms. Szakos, the following consent agenda items were approved with the exceptions noted above: (Ayes: Mr. Huja, Ms. Edwards, Dr. Brown, Mr. Norris, Ms. Szakos; Noes: None.)

- a. Minutes of June 6
- b. APPROPRIATION: \$119,000 – Grant – Azalea Park Storm Water Wetland Project (2nd reading)
- c. APPROPRIATION: \$386,000 – Charlottesville High School Solar Power System – Appropriation of Grant Funds and Local Cash Match (2nd reading)
- d. APPROPRIATION: Approval and Appropriation of CDBG & HOME funds for FY 2011-2012 (2nd reading)
- e. APPROPRIATION: \$751,016 – Amendments to FY 2012 Adopted City Schools General Fund and Grant & Other Governmental Funds Budget (2nd reading)
- f. APPROPRIATION: \$3,000 – Player for Life Grant from the US Golf Association (2nd reading)
- g. RESOLUTION: Historic Resources Committee – Appointment of Members and Acceptance of New Rules of Procedure
- h. RESOLUTION: Acceptance of Street in St. Charles Subdivision
- i. RESOLUTION: Public Infrastructure Maintenance Bonds
- j. RESOLUTION: Irrevocable Election Not to Participate in Line of Duty Act Fund
- k. RESOLUTION: Reimbursement of City Employee Legal Fees
- l. RESOLUTION: Promise Neighborhood Matching Grant – \$50,000
- m. ORDINANCE: Utility Rates (2nd reading)
- n. ORDINANCE: Street Closure – Closing of a portion of Seminole Court (2nd reading)
- o. ORDINANCE: Zoning Text Amendment – Assisted Living Facilities (2nd of 2 readings)
- p. ORDINANCE: Sunrise Park PUD (2nd of 2 readings)
- q. ORDINANCE: Homeowner Tax Relief Grant (2011) (2nd of 2 readings)

PUBLIC HEARING/ORDINANCE: TEMPORARY MOVE OF CARVER PRECINCT (carried)

Ms. Sherri Iachetta presented to Council. The City cannot use Jefferson School because of renovations. She reviewed the alternate locations that were considered. The proposed location is the Virginia Institute of Autism, and it is a convenient location for many reasons. The Electoral Board met on June 7th and recommended passing the ordinance.

Mr. Norris asked if there will be adequate signage due to the lack of visual sight from Rose Hill Dr., and Ms. Iachetta said there will be. Mr. Huja said this is an isolated location, and he wants generous signage. Ms. Iachetta said staff will post signage off the 250 Bypass and off Rose Hill Dr. Staff is also promoting the new location through mailings and picnics.

Dr. Brown asked about pedestrians and said we need to make it easy for pedestrians to travel to the alternate location. Ms. Szakos asked about buses to provide transportation for people who report to the old location. Ms. Iachetta said this will be an issue City-wide because of recent precinct changes. Mr. Jones said we can look into options for transit if Council wishes.

Mr. Huja asked for maps to be included in the mailing of new voter cards. Mr. Norris said he wants to see staff ideas for providing transit to voters City-wide. He asked if the construction near the School of Autism was on track. Mr. Tolbert said it was. Mr. Jones said the site can be cleared for Election Day, regardless of the construction schedule.

The public hearing was opened.

Having no speakers, the public hearing was closed.

On motion by Ms. Szakos, seconded by Mr. Huja, the motion carried to the next meeting.

PUBLIC HEARING: TRANSFER OF PROPERTY ON ELLIOTT AVENUE
(deferred)

Ms. Kathy McHugh presented to Council.

Mr. Tolbert said this is a public hearing, but due to an advertising error, sufficient notice of public hearing was not given. Council can choose to pass this on a first reading, but a second public hearing should be scheduled for the second reading.

The public hearing was opened.

Mr. Dan Rosensweig, 740 Lexington Ave., Exec. Director of Habitat for Humanity, thanked Council for considering the matter. This opportunity has enormous potential for the City and the future of mixed income housing. Please approve the conveyance of this property, which provides affordable housing in a mixed income development. It is a small investment for the City, with large returns.

Mr. L. Paul Koch, 101 Burnet St., thanked Mr. Tolbert and his staff for sending out notification on this item. He thanked Southern Development for reaching out to Burnett Commons and soliciting the neighborhood's input. He said he supports the development of this parcel contingent on continuing engagement with Burnett Commons and the surrounding neighborhood, and an adequate study and solution to traffic concerns.

Mr. Blake Caravati said this is good work with some further changes. On June 7, he saw the For Sale sign on the property, then received a notice of the sale on June 9.

This lacked transparency, because the property seemed to have been under negotiation by staff and Council for at least six months. He asked Council to delay the sale and advertise it in a normal manner so other developers would have the opportunity to pay the City money for this property.

Having no further speakers, the public hearing was closed.

Mr. Norris asked Mr. Tolbert to address Mr. Caravati's concerns. Mr. Tolbert said this is a unique situation because of the partnership between Habitat and Southern Development and the impact it has on surrounding properties.

Mr. Huja asked what the total area and assessed value of the 3 parcels are. The property under consideration tonight is assessed at \$90-100,000, conditional on the amount of work that needs to be done to it. Altogether, there is about \$180,000 worth of land with significant cost to remediate land issues. Mr. Huja said he is not in favor of having a first reading tonight.

Dr. Brown asked if there were anything that would ensure affordability beyond the initial purchase. Mr. Tolbert said we do not have a method to regulate that at this point unless we put something in the deed.

Mr. Norris said this is a very creative, positive idea and proposal for development of this site. The buy-in from neighborhoods on all sides is remarkable.

Ms. Edwards agreed that it should be deferred for a first reading at the next Council meeting. Mr. Norris said we will do another public hearing at our next meeting with a first reading at that time.

REPORT/RESOLUTION: SECTION 3 PLAN AND POLICY

Mr. Tolbert presented to Council. Section 3 is intended to ensure that training, employment and contracting and other economic activities generated by HUD to the greatest extent possible will be directed to low and moderate income recipients. Staff believes more can be done to assist individuals with low income. Staff is anxious to move forward because of potential redevelopment contracts through CRHA. We can fully staff this with existing CDBG administrative staff and CRHA money.

Ms. Szakos thanked Ms. Edwards for supporting Section 3. Her support is largely why Council is considering this report.

Mr. Huja said he supports the idea of Section 3, but he is concerned about the staffing position. He said it bothers him that it is supplemented by CHF funds, and we may need more staffing. Mr. Tolbert agreed that it was a limiting factor.

Ms. Edwards appreciated the work that has gone into this project. She thanked Ms. McHugh for her research. This is a long time coming, and she said she was pleased to see it on the agenda now. This is an opportunity to create jobs, which is an area we have been lacking in the past.

Mr. Norris said he wished there were more we could do in terms of incorporating the same kinds of goals into our own projects. Mr. Tolbert said having a staff member focused on this will be helpful.

On motion by Ms. Edwards, seconded by Mr. Huja, the resolution was approved. (Ayes: Dr. Brown, Mr. Norris; Mr. Huja, Ms. Szakos, Ms. Edwards; Noes: None.)

REPORT/RESOLUTION: ALLOCATION OF CHF DOLLARS FOR PURCHASE OF LOTS - \$690,000

Mr. Tolbert presented to Council. We are buying the lots *from* Habitat, not for Habitat, as a point of clarification. This addresses the idea of allowing disabled citizens to live in a true housing environment. Staff wants to build four townhouse units and deed two of them to Region 10. One would be kept as a transitional unit for CRHA redevelopment purposes. Staff seeks Council's authorization to purchase the land and proceed with the proposal.

Ms. Szakos said for all the members of Charlottesville who are members of IMPACT, this is going above and beyond. It is hugely needed in Charlottesville.

On motion by Ms. Szakos, seconded by Ms. Edwards, the resolution passed. (Ayes: Dr. Brown, Mr. Norris, Ms. Edwards, Ms. Szakos, Mr. Huja. Noes: None.)

REPORT: ROUTE 29 BYPASS

Mr. Tolbert presented to Council. Approval of the Route 29 Bypass would require two hearings of the MPO. Council will have the opportunity to discuss this again after the first of the two meetings of the MPO. Council may want to negotiate other items as part of the process.

Mr. Norris asked if this money would be reallocated from other projects. Mr. Steve Williams of the Thomas Jefferson Planning District Commission said he was not sure what projects this would take money from. Mr. Norris asked if there are advantages to other cities if the bypass were built. Mr. Williams said he could not say. Mr. Norris asked what the projected percentage of through drivers on the impacted stretch of Route 29 was. Mr. Williams said it counted for 10-15% of total traffic volume. Traffic studies have not computed how much time this bypass would save those travellers on their commute. Mr. Norris said there were a series of transportation projects outlined in sequential order by the City, but this bypass was at the end of the list.

Dr. Brown asked if this is a parallel road instead of a bypass. Mr. Williams said there are no access points between Hollymead and Leonard W. Sandridge Road.

Mr. Huja said the process by which this decision has been made seems unfair. Ms. Szakos said this seems like a strange way to force this on our area, because the state is giving us money we have not had in the past on the condition that we do the project they want us to do.

Dr. Brown said the process the County chose to follow for doing business on this was embarrassing. However, he sees that this may benefit the City, and he does not think Council has a say on this one way or another.

Ms. Edwards said she is disappointed in the Board of Supervisors and the direction they have taken this. Also, it puts the City in such a position that it does not matter what we think. She said there is no point in having this discussion further, and she washes her hands of it.

Ms. Szakos encouraged people to attend the public hearings July 14 and July 27 at Lane Public High School at 4pm and speak out about this issue.

Ms. Szakos moved that Council instruct the MPO representatives to oppose the motion if there is a vote at the next MPO meeting. Dr. Brown seconded the motion. Motion carried with Mr. Huja abstaining from voting.

REPORT: BELMONT BRIDGE UPDATE

Ms. Janiczek presented to Council. She outlined the process for planning for the new bridge and design plans to date.

Mr. Norris asked if design details are forthcoming. Ms. Janiczek said they are. Mr. Norris asked staff to incorporate greenery and plantings.

Ms. Szakos said mitigation of sound from the Pavilion should be kept in consideration.

Mr. Huja said the railroad company may offer money to build a higher bridge so they can get taller trains through.

REPORT: DIALOGUE ON RACE ECONOMIC WORKGROUP MINORITY BUSINESS FOLLOW-UP

Mr. Walter Davis presented to Council, outlining the findings of a survey the workgroup conducted. Ms. Alice Anderson gave an overview of the Minority Business Summit on May 23.

Ms. Szakos praised the workshop. Dr. Brown said staff could create something more regional for a bigger impact. Mr. Norris thanked the workgroup for their efforts and said Council will support them in the future.

MATTERS BY THE PUBLIC

Ms. Rebecca Quinn said women-owned businesses are also grouped in with minority owned businesses, and we should consider them when leveraging funding from the state. She said Dr. Brown should look at the whole system before quoting numbers on water supply. This is a very complex situation, but gallon for gallon dollar cost is not the way to go because the system is dynamic. You do not get anything but air if you build a dam until you build a pipeline. The cost of operating and maintaining an uphill pipeline must also be considered.

Ms. Dede Smith, 2652 Jefferson Park Cir., said to simplify this as dredging versus building a new dam is a misinterpretation. To compare dredging to a new dam ignores the fact that fully half the water capacity added at Ragged Mountain is to compensate for the loss of water at South Fork. We will lose our draught protection, which we have paid for, if we lose the water at South Fork. Dredging and maintaining South Fork provides 80-90% of the water that building a dam provides.

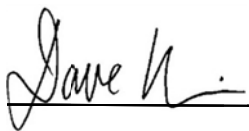
Mr. Halfaday said he agrees that pedestrian access to both sides is the most important aspect of the Belmont Bridge. He asked Council to tear down the fence.

Mr. Scott Bandy, 1639 Cherry Ave., asked if the interchange at Best Buy would be reconfigured if the 29 Bypass does not get built.

COUNCIL RESPONSE

Mr. Huja said Council determined work would be done on the Best Buy ramp at the last Council meeting.

The meeting was adjourned.



President



Clerk