

## NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, November 5, 2018, AT 5:30 p.m. IN THE Second Floor Conference Room, 605 E. Main Street.

THE PROPOSED AGENDA IS AS FOLLOWS:

Closed session as provided by Section 2.2-3712 of the Virginia Code  
(Boards & Commissions; Legal Consultations; Contract Negotiations; Personnel)

BY ORDER OF THE MAYOR

BY Brian Wheeler

### **SECOND FLOOR CONFERENCE ROOM – November 5, 2018**

Council met in closed session on this date with the following members present: Ms. Walker; Ms. Hill; Dr. Bellamy; Ms. Galvin; and Mr. Signer.

Ms. Walker called the meeting to order at 5:38 p.m.

On motion by Ms. Hill, seconded by Mr. Signer, Council voted (Ayes: Ms. Walker; Ms. Hill; Dr. Bellamy; Ms. Galvin; and Mr. Signer. Noes: None. Absent: None.) to meet in closed session as authorized by Va. Code sec. 2.2-3712, specifically:

Virginia Code Section 2.2-3711(A)(1) for the purpose of discussion of the consideration of a prospective candidate to serve as the Clerk of the Charlottesville City Council;

and as authorized by Virginia Code Section 2.2-3711(A)(1) for consideration of specific candidates to serve on the Thomas Jefferson Planning District Regional Housing Partnership;

and as authorized by Virginia Code Section 2.2-3711(A)(7) for consultation with legal counsel and briefings by staff members pertaining to litigation between the City of Charlottesville and the County of Albemarle filed April 20, 2017 concerning the Ragged Mountain Natural Area, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the City;

and as authorized by Virginia Code Section 2.2-3711(A)(3) and (A)(8), to discuss or consider the disposition of real property for a public purpose, because discussion in an open meeting would adversely affect the city's bargaining position or negotiating strategy, specifically: to discuss the possible exchange, transfer, or property lease/use agreement involving real estate known as the 7<sup>th</sup> and Market Street Parking Lot; and for consultation with and obtaining legal advice from legal counsel employed by the public body regarding specific legal matters having to do with the possible exchange, transfer, or property lease/use agreement involving real estate known as the 7<sup>th</sup> and Market Street Parking Lot;

and as authorized by Virginia Code Section 2.2-3711(A)(8) for consultation with legal counsel employed by the public body regarding specific legal matters having to do with vested rights related to the approval of a specific site plan.

On motion by Ms. Hill, seconded by Dr. Bellamy, Council certified by the following vote (Ayes: Ms. Walker; Ms. Hill; Dr. Bellamy; Ms. Galvin; and Mr. Signer. Noes: None. Absent: 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.

Ms. Walker adjourned the meeting at 6:25 p.m.

## **COUNCIL CHAMBER - November 5, 2018**

### **ROLL CALL**

Council met in regular session on this date with the following members present: Dr. Bellamy; Ms. Hill; Ms. Walker; Mr. Signer; Ms. Galvin

### **ANNOUNCEMENTS/PROCLAMATIONS**

Ms. Hill announced that Election Day is tomorrow.

Dr. Bellamy announced that Charlottesville has been recognized with the WaterSense Sustained Excellence Award by the U.S. Environmental Protection Agency at the WaterSmart Innovation Conference. The City of Charlottesville received one of twenty-one WaterSense awards and only one of nine Sustained Excellence Awards for helping the Charlottesville community save water in 2017. This is the City's first Sustained Excellence Awards, which is the highest honor the EPA WaterSense program gives to organizations, and for which Charlottesville was eligible after having received three consecutive Promotional Partner of the Year Awards from the WaterSense Program. For more information on the City's Water Conservation program, go to [www.charlottesville.org/waterconservation](http://www.charlottesville.org/waterconservation).

City Council expressed its appreciation for the work of Ms. Kristel Riddervold's team in the Environmental Sustainability Department.

Mayor Walker presented the award to Ms. Jill Greiner, the City's Water Conservation Program Coordinator.

Ms. Hill announced that in mid-October a survey was distributed for the City Manager search and she encouraged the public's participation before November 9, 2018.

Dr. Bellamy made an announcement on behalf of Mr. Alex-Zan related to an upcoming Words Matter competition.

Dr. Bellamy shared that people with a variety of perspectives have said to him they are uncomfortable coming to City Council meetings because they find the climate disparaging and circus-like. He encouraged the audience to be leaders in the community when they speak during

public comment and when others are talking he said the audience should be respectful whether they agree or disagree with the comments.

Ms. Walker made the following declaration related to the second item on the agenda regarding the City Manager search process: Pursuant to Virginia Code Section 2.2-3115(H), I have filed a written declaration with the Clerk of Council stating that I am an employee of the Department of Parks and Recreation and I am able to fairly and objectively participate in the hiring of a City Manager.

**CONSENT AGENDA**

The Mayor motioned to pull item E from the Consent Agenda for discussion, seconded by Dr. Bellamy.

a. Minutes - October 15, October 22, October 24 and October 29, 2018 Council Meetings

b. APPROPRIATION: Funding for Westhaven Clinic Coordinator Position - \$85,000 (2nd reading)

[Westhaven Clinic Coordinator Position](#)

**APPROPRIATION**

**Use of Human Services Fund Balance for Westhaven Nursing Clinic Coordinator  
\$85,000**

**WHEREAS**, in collaboration with P.H.A.R., U.V.A. Health System, Sentara Martha Jefferson, C.R.H.A., and the U.V.A. School of Nursing, the Westhaven Coalition identified the ideal staffing structure of the clinic in order to meet the parish nursing model established in the clinic by Holly Edwards.;

**WHEREAS**, the City of Charlottesville, Virginia, has agreed to serve as the fiscal agent for this program;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$85,000 in Human Services Fund Balance be appropriated in the following manner:.

**Revenues:**

\$ 85,000      Fund: 213                      Cost Center: 3413016000                      G/L Account: 498011

**Expenditures:**

\$ 70,000      Fund: 213                      Cost Center: 3413016000                      G/L Account: 519999  
\$ 15,000      Fund: 213                      Cost Center: 3413016000                      G/L Account: 599999

c. APPROPRIATION: VDOT Funding for Multi-Modal Improvements - \$413,217 (Carried)

[VDOT Funding for Multi-Modal Improvements](#)

d. RESOLUTION: Transfer from CIP of \$560,347 as Matching Funds for Multi-Modal Improvements

[Matching Funds for Multi-Modal Improvements](#)

**Resolution Transfer of Capital Funds for Multi-Modal Improvements Local Match  
\$560,347**

**WHEREAS**, a total of \$560,347 in matching city funds for the Revenue Sharing Program requires transferring;

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

**Transfer From**

<b>\$ 100,000</b>	Fund: 426	WBS: P-00671	G/L Account: 561425
<b>\$ 293,913.25</b>	Fund: 426	WBS: P-00335	G/L Account: 561425
<b>\$ 166,433.75</b>	Fund: 426	WBS: P-00511	G/L Account: 561425

**Transfer To**

<b>\$ 560,347</b>	Fund: 426	WBS: P-01004	G/L Account: 498010
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e. RESOLUTION: ~~Utility Leak Credit to Albemarle County Schools—Burley Middle School—\$27,842.88~~ **Pulled for Discussion**

[Utility Leak Credit to Albemarle County Schools](#)

f. RESOLUTION: Approve Statement of Support for Solar Energy

[Statement of Support for Solar Energy](#)

**RESOLUTION**

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, that the Mayor is hereby authorized to sign a Statement in Support of Solar Energy, in substantially the same form presented to City Council on November 5, 2018.

g. ORDINANCE: Quitclaim Gas Easement to VDOT in Riverside Village Subdivision (2nd reading)

Quitclaim Gas Easement to VDOT in Riverside Village Subdivision

**AN ORDINANCE  
TO QUITCLAIM NATURAL GAS LINE EASEMENT  
WITHIN TRAILSIDE DRIVE IN THE RIVERSIDE VILLAGE SUBDIVISION  
LOCATED IN ALBEMARLE COUNTY  
TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION**

**WHEREAS**, the Virginia Department of Transportation (VDOT) is prepared to take over maintenance of the roadway known as Trailside Drive located in the Riverside Village Subdivision in Albemarle County; and

**WHEREAS**, the City owns natural gas lines located within this roadway, and also owns an easement for such gas line, and VDOT has asked that the foregoing easement crossing this roadway be released upon VDOT's acceptance of Trailside Drive; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the Mayor is hereby authorized to execute a deed of quitclaim, substantially the same in form as the deed attached hereto, approved by the City Attorney, for release of the above-described gas line easement crossing Trailside Drive to the Virginia Department of Transportation conditioned upon receipt by the City of a VDOT permit allowing said line to continue to be located in said roadway.

Ms. Galvin motioned to approve the Consent Agenda as amended, seconded by Dr. Bellamy. The Consent Agenda passed. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Galvin, Mr. Signer, Ms. Walker; Noes: None)

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

Interim City Manager Mr. Mike Murphy invited Mr. Paul Oberdorfer, Director of Public Works, to speak about status of Downtown Mall Threat and Risk Assessment report.

Mr. Oberdorfer said the Downtown Mall Threat and Risk Assessment was under review by staff. Recommendations would come back to Council at a future meeting. Ms. Walker asked if Council would see recommendations before the document is finalized. Mr. Oberdorfer said the entire document would come to Council and Mr. Murphy added that we would need permission to release some of the details related to security matters.

Mr. Murphy said any consideration of the Mall crossings for vehicles would require additional community discussion. Dr. Bellamy asked how that conversation could be started and that he would support closing 4th Street. Mr. Murphy said at the least Council would want a public hearing and it might also want a work session. Ms. Hill said such a discussion should be informed by the final report. Ms. Walker asked how such a discussion could be had without Council seeing the entire report?

Ms. Galvin said she would like to see the recommendations with staff and then hold a work session where Council could determine who should participate. Dr. Bellamy asked about timing of the recommendations? Mr. Oberdorfer said the report would be finalized after the first of the year.

## **COMMUNITY MATTERS**

Ms. Susan Thesenga spoke about bullying in Charlottesville City Schools in-person and online. She said when bullying is present all students suffer. Her granddaughter at Buford Middle School was assaulted and the Principal has responded in a positive manner.

Ms. Cassandra Mathis said she was a business owner on the Downtown Mall and that the trash situation and dog waste has been an issue for a long time. She asked the City to consider having dog waste trash bags available and that more attention be given to trash pickups.

Ms. Berdell Fleming told Council she is on the education committee of the NAACP and she said that the recent New York Times/Pro Publica article about the performance of City Schools was a significant concern. She asked Council to be diligent and watchful about its investments in City Schools.

Ms. Mary Carey said she did not like being told how she should speak to Council during Community Matters. She said she did not see many African-Americans on the Downtown Mall and she questioned the appropriation earlier this year to the Downtown Business Association of Charlottesville.

Mr. Tony Wasch, Jr. asked for clarification related to a statement he said was made by the Mayor at the October 15, 2018 meeting. He reads a quote he said was in the newspaper in which the Mayor indicated she was not going to control the audience members at Council meetings. Mr. Wasch said people speaking at meetings are not being treated very well. He said the meetings are bordering on anarchy.

Ms. Walker responded that she was not in the business of controlling people and that she had written a piece reflecting on the past two years of behavior in Council meetings and asked that this be compared to past 256 years of local history.

Mr. Bruce Wardel spoke about the Standards and Design Manual being developed by City staff. He asked that the City Council schedule a work session and encouraged Council to keep the momentum going to finalize the document. He suggested a comparison matrix of the staff version vs. the Charlottesville Area Developers Roundtable (CADRe) version.

Ms. Christine Mahoney said she directed Social Entrepreneurship at the University of Virginia and she expressed support for the New Hill Development Corporation Equity Fund Allocation.

Mr. Melvin Burruss said he was on the Board of the New Hill Development Corporation. He said a key goal should be to close income gaps between black and white residents. He said this would be the first African-American-oriented development intentionally planned in Charlottesville. He said he wanted the plan to include affordable housing, market-rate housing and commercial businesses.

Mr. Don Gathers said he would have liked more information on the New Hill Development Corporation project in advance of Council's decision including a budget, defined area and timing.

Dr. Bellamy clarified that no funds had been appropriated yet and that it would be discussed later in the meeting.

Mr. Dave Ghamandi said the people should focus more on self-help and less on begging in front of Council. He said he used to be a Democrat but that Democrats were not voting against war, poverty. He said the people needed to organize and meet in the streets and the living rooms.

Ms. Rosia Parker said to Mr. Murphy that Ms. Cookie Smith would like to speak to Chief Brackney in her living room this week. She asked for an update on the Sage Smith case and other missing black children.

Mr. Jarvis Stewart said he was new to Charlottesville and that he has been invited to help with the New Hill Development Corporation project to create affordable housing and entrepreneurship opportunities for City residents. He said the best way to address education and housing issues was to have a stronger economic base.

Ms. Nancy Carpenter said in 1987, Low Income Housing Tax Credits started and that many of them are expiring. On the New Hill Development Corporation project, Ms. Carpenter said she works with many individuals who would benefit but she wonders how far \$500,000 could go if invested in other ways such as small allocations to citizens in need with emergencies.

Dr. Bellamy asked Ms. Carpenter if the funding process she was describing was similar to what is done at The Haven and with AIM? She said it would be similar and could help people stay in their existing homes doing, for example, emergency repairs. Dr. Bellamy asked Mr. Murphy if The Haven or AIM received funding? Mr. Murphy said emergency assistance was funded in the community in addition to initiatives like the supplemental rental assistance program. Dr. Bellamy expressed support in learning more about the amount of those allocations today and the possibility of increasing support in the future. Mr. Murphy said he could come back to a future meeting with additional information. Ms. Walker reminded Council the Agency Budget Review Team process was being revamped and that could also lead to more impactful investments in these areas.

Ms. Galvin said that the New Hill Development Corporation project is related to Small Area Planning. She said parts of the City will need to be re-imagined if we want to have a significant number of new affordable homes built. This would be a SAP led by a local African-American-owned company.

Mr. Gregory Robertson reminded Council he spoke to them 5 years ago about his experience in Charlottesville City Schools. He said he was bullied and he had asked for something to be done. He said he has been in contact with a 12-year-old student who is experiencing what he sees as the same treatment of being kicked, shoved and spit upon. He asks why more is not being done.

Council went into recess at 7:40 p.m. as there was a medical emergency in the hallway outside chambers. The meeting reconvened at 7:54 p.m.

Mr. Robertson continued his public comments.

Ms. Hill asks about the school division's response to this news report related to bullying? Ms. Galvin asked for the matter to be a topic at the next joint meeting with the School Board. Mr. Murphy said he heard the grandmother say she was pleased with the Principal's immediate response but she asked what the systemic response might be by the school division. He indicated the School Division could report on this to Council.

Mr. Signer said there had been a number of school issues raised this evening and that it was a difficult for Council to get directly involved in these matters, but Council should ask for updates on these issues for the benefit of the community especially since Council has fiscal responsibility.

## **PUBLIC HEARING: PUBLIC ENGAGEMENT FOR CITY MANAGER SEARCH PROCESS**

### [Public Engagement for City Manager Search Process](#)

Ms. Hill said Council had engaged S. Renee Narloch and Associates, an executive recruiting firm, to assist with the search for a new City Manager. She invited Ms. Narloch to speak to Council about the process being undertaken between now and late-February, early March, 2019.

Ms. Renee Narloch spoke about her firm's experience in executive recruiting. She shared she was present this evening to hear from the public and had met with Council today and would be meeting with numerous staff tomorrow about what the ideal candidate looks like before the advertisement is finalized. She said the listening tour was very important to get an understanding of the leadership required for the City. Ms. Narloch gave examples of other engagement opportunities that her firm had led in other communities including a Meet and Greet with finalists, an external panel to the process which might include five community members appointed by Council, and guided tours of the community when finalists are interviewed.

Ms. Narloch added this would be a national search for talent and that community members should feel free to call her directly with input.

Ms. Walker spoke about the current online community survey, community dinners, and employee luncheons where she has been collecting input over the past two months on the City Manager search.

Dr. Bellamy thanked Ms. Walker and Ms. Hill for being the leaders on Council to guide the search process on behalf of Council.

Ms. Walker opened the public hearing.

Ms. Lena Seville said she has been working on the new chapter in the Comprehensive Plan related to Community Engagement. She said there needs to be a full community engagement process on this chapter and it will be important for the new City Manager to buy-in to this process of a new approach to community engagement over the next 6-9 months. She said it will be important for the next City Manager to want to have staff connect to the community in ways they may not have done so previously. Citizens need to design the ways they want to be engaged with.

Ms. Tanesha Hudson said that new streets and wider streets are very important to improve transportation and the new City Manager needs to address infrastructure with respect to the city's growth. She said the next City Manager needs to change the power structure and the Mayor should have more power.

Mr. Don Gathers said, while a national search would be fine, it is also important to look internally for candidates in this community, for someone already invested in the City, someone who already understands the problems in this city, particularly those of our low income neighborhoods.

Ms. Mary Carey said she wanted a City Manager with previous work experience in a similar position. She said she agreed with Ms. Hudson that the infrastructure challenges are significant. She said the next City Manager should know the community's history. She said it should not be a friend or business colleague of Council, but it should be a candidate with at least five years' experience in a similar position.

Ms. Olivia Patton said it was important that the next City Manager value being held accountable by community members, be willing to admit mistakes, and be willing to address community matters directly when asked in public meetings.

Mr. Robin Hoffman said the next City Manager should seek less bussing of students and a better distribution of students among its schools.

Dr. Walt Heineke said he appreciated the engagement by Council early in the decision making process. He said taking public input was important, but the other part of community engagement is listening to public input and acting upon their feedback. Dr. Heineke said there was a huge trust issue and tonight's Council agenda had examples of things that did not have adequate citizen input.

Having no further speakers, the public hearing was closed.

Dr. Bellamy said it was helpful to hear this public input and that he looked forward to hearing from others. Mr. Signer said the public could also forward comments to the Council's email address. Ms. Galvin said that she heard a lot of interest, concern and appreciation for the importance of community engagement, well-maintained streets, functioning streets, so some appreciation for public works, and experience running a city.

Ms. Walker said it was important for us as a city to challenge ourselves. She said we need to make sure that when we give Ms. Narloch a list of what is expected here that we are challenging ourselves. She said it will have to be a pretty dynamic person, much more than someone with just similar work experience. Mr. Signer added that a theme he heard was community members wanting things to get done in the city. He said something that can hold up a project is some controversy, and that is not unique to Charlottesville. How they respond to that with Council and the public is important.

Ms. Hill asked Ms. Narloch if she needed any further direction from Council. Ms. Narloch said she had a good starting point and that moving forward she said she would like to keep the momentum going and stick to the timeline which she would share with specific milestones. Ms. Narloch said she wanted to ensure qualified candidates were vetted by Council in executive session to ensure they are less likely to drop out of the process if they were publicly known to be applying for the position. She said the finalists could be made public and have more engagement with the community.

**PUBLIC HEARING / APPROPRIATION\*: WEST MAIN STREETSCAPE IMPROVEMENTS REVENUE SHARING - \$3,112,413 (Carried)**

[West Main Streetscape Improvements Revenue Sharing](#)

Ms. Jeanette Janiczek, Urban Construction Initiative Program Manager, provided a staff report.

Ms. Galvin asked for clarification about existing funds. Ms. Janiczek said the funds were previously allocated for the project and this item was to ensure receipt of state matching funds.

Mr. Signer asked when the project would commence. Ms. Janiczek said it would be about two years before ground would be broken on the undergrounding of utilities or specific streetscape projects. Mr. Signer called upon city staff to ensure community engagement continues on a project like this since it stretches over many years. He said the public history of input should be highly visible.

Ms. Galvin spoke about the importance of ongoing community engagement and updates to the project website.

Ms. Walker asked about the timing of the University of Virginia's investment in the corridor?

Ms. Janiczek said she could follow-up with additional information. Mr. Murphy said he was meeting with the University and could gather additional information on their investment.

Ms. Galvin said she was at a recent Piedmont Environmental Council workshop and she learned that Dominion Energy had partnered with other communities like Arlington County to help pay for the undergrounding of utilities. Ms. Janiczek said Dominion has helped pay when they are having difficulty maintaining service because of issues like trees.

On motion, the public hearing was opened.

Mr. Scott Bandy spoke at the public hearing and said he thought the plan addressed sprawl but that the section near the Meriwether Lewis, William Clark and Sacagawea statue needed more attention. He thought the park area proposed there might cause greater challenges for busses in particular.

Having no further speakers, the public hearing was closed.

Ms. Walker asked about the plans for the Meriwether Lewis, William Clark and Sacagawea statue. Ms. Janiczek said the proposal was to shift the statue in that immediate area. Ms. Walker asked Council to consider what other spaces that statue might occupy, perhaps outside Charlottesville.

Ms. Janiczek said she would share information about upcoming meetings and public engagement opportunities. She said the City would have to work with the Virginia Department of Historic Resources with respect to the statue.

Council reached consensus to have this item on the November 19, 2018 meeting's consent agenda.

Ms. Galvin raised a question about projects like the West Main Streetscape and the Belmont Bridge Replacement Project and the opportunity to train local employees and hire them for work on these projects as called for in the resolutions approving the projects in 2015. Ms. Galvin said the use of Federal funds may increase the local workforce opportunities. She asked Mr. Murphy to provide an update at a future meeting.

Council went into recess at 9:02 p.m. and reconvened at 9:18 p.m.

**RESOLUTION\*: EQUITY FUND ALLOCATION TO NEW HILL DEVELOPMENT CORPORATION - \$500,000**

[Equity Fund Allocation to New Hill Development Corporation](#)

Mr. John Blair, the City Attorney, gave a brief introduction including the history of Council's Equity Fund. He said Council does not need to hold a public hearing since it is not an appropriation. It can still have a public hearing to receive feedback on the proposed allocation.

Dr. Bellamy invited Ms. Yolunda Harrell, President and Chief Executive Officer, New Hill Development Corporation, to make a presentation to Council about the Small Area Planning process for the Starr Hill neighborhood area.

Dr. Bellamy asked about the other partners in the project. Ms. Harrell said it was important to have partners to work with related to financial coaching for residents. They will work with Operation HOPE. They will focus on helping raise credit scores and supporting entrepreneurs. She said another partner is Local Initiatives Support Corporation. Ms. Harrell said New Hill plans to partner with LISC in drafting the small area plan.

Dr. Bellamy asked about how \$500,000 would be allocated and why the amount was at that level. Ms. Harrell said additional grants were being pursued but that this 48 acre area was larger than some other planning projects in the City such as the one undertaken for Friendship Court which was a \$350,000 master plan.

Dr. Bellamy said there were questions about how LISC and New Hill would work with existing community organizations. Ms. Harrell said organizations like PHAR, CRHA, and Habitat all have roles to play. Where there are aligned interests and goals, Ms. Harrell said they would seek partnerships.

Dr. Bellamy asked why there had not been more public attention on this work until this point. Ms. Harrell said New Hill had been in a private business planning phase making determinations about their own goals and leadership.

Mr. Signer commented on the qualifications of Mr. Maurice Jones, the former Virginia Secretary of Commerce and Trade, and his ability to contribute as a leader on this project. He said it would be great to involve community members in some advisory capacity, in addition to the leaders on their board.

Ms. Hill said it was important to get buy-in from private property owners. She said it would be important to have an actionable plan and their involvement early was appropriate. She asked about the process this agenda item went through, and noted that the Council packet had more limited information than what she and the public had received over the past 72-hours.

Ms. Galvin said this was part of the City that was intended to have a Small Area Plan. She noted that this planning project would be completed in 9 months. She said the staff does not have the capacity to do the community engagement that LISC will do. She said it was a government act that destroyed the Vinegar Hill neighborhood during urban renewal and that it was fitting that another government act could begin repairs.

Dr. Bellamy noted that this is an African-American led company unlike anything ever seen in the city before that would bring in multiple partners and resources for the City.

Mr. Signer said the proposed allocation can be distinguished from other actions by Council as Equity Fund projects were intended to be fast-tracked to address important equity issues.

Ms. Hill asks about other funding sources. Ms. Harrell said the funds would be placed in escrow and at different milestones the funds would be drawn down. She said she would work with Mr. Blair on a draw down plan. Ms. Walker asked if the allocation would come all at once? Ms. Harrell said a third party would hold the funds. Mr. Blair said the drawn down milestones would identify when specific funding amounts could be drawn down.

Ms. Walker said she had met with Ms. Harrell and spoken with Dr. Bellamy about the project. She said she hopes that in the future she will be able to support the project and that it sounds very promising.

On motion by Dr. Bellamy, seconded by Ms. Galvin, the resolution passed. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Galvin, Mr. Signer; Noes: Ms. Walker)

### **RESOLUTION**

#### **New Hill Development Corporation-Starr Hill Small Area Planning and Financial Training \$500,000**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$500,000 is hereby paid from currently appropriated funds in the Council Strategic Initiatives account in the General Fund to New Hill Development Corporation pursuant to the Donation Agreement between the City of Charlottesville and New Hill Development Corporation being executed by New Hill Development Corporation and the City Manager.

\$500,000

Fund: 105

Cost Center: 10110010000

### **REPORT: TREE COMMISSION - STATE OF THE FOREST**

#### [Tree Commission - State of the Forest](#)

Mr. Paul Josey, Chair, Charlottesville Tree Commission, made a presentation to Council.

Mr. Josey said a new GIS database is being built by City staff to track a set of metrics identified by the Tree Commission.

Mr. Josey said the goal is to make the interactive database available to the public on the City's website next month.

Mr. Josey described the benefits of trees and tree canopy. He said the biggest thing Council could do is consider trees to be critical infrastructure and have someone in the Neighborhood Development Services department advocating for trees as a priority with new development.

Ms. Galvin asked about goal for City's tree canopy. Mr. Josey said 45 percent in tree cover is a very good goal, and that is the current canopy coverage. He said the Tree Commission has advocated for up to 50 percent coverage as a goal.

Ms. Hill asked about the maintenance of trees in a location like the John Warner Parkway? Mr. Josey said the warranty on tree installations is typically an initial one year. He said some vendors would rather replace them at the end of year one than maintain them in the first year. The warranty does not apply to the newly planted trees which then have to be maintained by the City's Parks and Recreation Department.

## **REPORT/RESOLUTION\*: INTERIM REGULATIONS FOR BICYCLE AND E-SCOOTER SHARING SYSTEM**

### [Interim Regulations for Bicycle and E-Scooter Sharing System](#)

Mr. Jason Ness, Office of Economic Development, provided Council with a staff report on the bicycle and electric scooter sharing system permit pilot program.

Mr. Ness said the challenges faced by localities is that these devices are new and are often not considered vehicles under existing local ordinances. He said the City's proposal is to work proactively with the bicycle and electric scooter companies. Corrals will be developed to accommodate parking areas and discourage users parking them on sidewalks.

Mr. Signer asked how far the electric scooters could go on a charge and whether it was legal to ride bicycles on sidewalks today? Ms. Amanda Poncy, the City's Bicycle Pedestrian Coordinator, described the scooters' range and said state law allows cities to restrict bicycles on sidewalks with conspicuous signage (e.g. like the signs on the Downtown Mall). While signage on other city sidewalks does not exist, this agreement would proactively place restrictions on these new devices.

Ms. Poncy said the companies will be asked to implement community outreach plans, and encouraging helmet usage could be part of this.

Mr. Ness said multiple companies have expressed interest.

On motion by Ms. Hill, seconded by Mr. Signer, the resolution passed. (Ayes: Dr. Bellamy, Ms. Hill, Ms. Galvin, Mr. Signer, Ms. Walker; Noes: None)

## **RESOLUTION OF THE CHARLOTTEVILLE CITY COUNCIL RECOMMENDING ADOPTION OF THE BICYCLE AND E-SCOOTER SHARING SYSTEM (aka DOCKLESS MOBILITY) PERMIT PROGRAM**

**WHEREAS**, the purpose of this program is to establish fees and regulations to facilitate bicycle and e-scooter sharing companies to operate in the city; and

**WHEREAS**, the City owns, controls, and maintains the public space on which companies shall park its devices.

**NOW, THEREFORE, BE IT RESOLVED** that this City Council will adopt a pilot program to assess the viability of dockless mobility device operations within the City and to understand the parameters that will allow these devices to operate effectively and to avoid any public nuisance under the authority of Virginia Code §15.2-2018.

## **OTHER BUSINESS**

### **RESOLUTION: UTILITY LEAK CREDIT TO ALBEMARLE COUNTY SCHOOLS - BURLEY MIDDLE SCHOOL - \$27,842.88**

[Utility Leak Credit to Albemarle County Schools](#)

[Discussion of Item E from consent agenda.](#)

On motion by Ms. Galvin, seconded by Dr. Bellamy, the resolution passed. (Ayes: Mr. Bellamy, Ms. Hill, Ms. Galvin, Mr. Signer, Ms. Walker; Noes: None)

### **RESOLUTION APPROVING A CREDIT TO THE UTILITY ACCOUNT OF BURLEY MIDDLE SCHOOL (WATER LEAK CREDIT)**

**WHEREAS**, a water leak was discovered in May of 2018 affecting the property of Albemarle County known as Burley Middle School on Rose Hill Drive in the City of Charlottesville; and

**WHEREAS**, the water leak used 10 to 20 times the amount of water normally used in April and May of 2018; and

**WHEREAS**, the Director of Finance, City Attorney, and City Manager concur that circumstances warrant a credit in the amount of \$27,842.88 (\$13,362.99 for water and \$14,479.89 for wastewater), and in accordance with City Code Sec. 11-132(4), City Council has authority to grant such a credit; now, therefore

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the Director of Finance is hereby authorized to apply a credit of \$27,842.88 to the Utility Billing account of Albemarle County Schools (Burley Middle School).

## **BOARDS AND COMMISSIONS**

Appoint a representative on the Thomas Jefferson Planning District Commission's Regional Housing Partnership

On motion by Ms. Galvin, Seconded by Dr. Bellamy the Council approved the appointment of Ms. Heather Hill to be its representative on the Thomas Jefferson Planning District Commission's Regional Housing Partnership with Ms. Walker as an alternate. (Ayes: Mr. Bellamy, Ms. Hill, Ms. Galvin, Mr. Signer, Ms. Walker; Noes: None)

### **MATTERS BY THE PUBLIC**

Mr. Don Gathers spoke about the New Hill Development project and that he thinks Council has failed in its transparency goals by not having this item shared sooner with the public.

Ms. Joy Johnson thanked Ms. Walker for standing up for transparency with respect to the New Hill Development. She asked Council to remember that other African-American women in the community's history have been leaders running organizations.

Ms. Olivia Patton asked which Council members were involved in the New Hill Development Corporation Board of Directors. She said Dr. Bellamy was listed as a board member in the State Corporation Commission records as of today. Dr. Bellamy said he has not been a board member since his resignation effective August 21.

Ms. Walker adjourned the meeting at 10:30 p.m.