

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, March 15, 2010 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 Jeanne Cox

SECOND FLOOR CONFERENCE ROOM – March 15, 2010

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. Edwards, Council voted (Ayes: Dr. Brown, Ms. Edwards, Mr. Huja, Mr. Norris, Ms. Szakos. Noes: None) to meet in closed session for an interview with an executive search firm under consideration for the award of a public contract involving the expenditure of public funds, where discussion in an open meeting would adversely affect the City's bargaining position and negotiating strategy, as authorized by Section 2.2-3711(A)(29) and for consultation with legal counsel pertaining to probable litigation involving the construction of McIntire Road Extended and the Route 250/McIntire Road Interchange, where such consultation in an open meeting would adversely affect the litigating posture of the City, as authorized by Section 2.2-3711(A)(7) of the Virginia Code.

On motion by Ms. Edwards, seconded by Ms. Szakos, 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 – March 15, 2010

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

AWARDS/RECOGNITIONS: POISON PREVENTION PROCLAMATION

Mr. Norris presented the Poison Prevention Proclamation.

ANNOUNCEMENTS

Mr. Norris said that City Market will begin on April 3; the City's annual Easter egg hunt will be April 3; this is Fix a Leak Week; and an antique carousel will be on the mall from March 20 to 27.

Ms. Edwards encouraged everyone to participate in the census.

PUBLIC

Mr. John Cruickshank, Earlysville, representing the Piedmont Group of the Sierra Club, asked Council to pass a resolution protecting McIntire Park from pre-mature construction until federal approvals and there is a reasonable opportunity for judicial review. He asked people in the audience to stand in support and many stood.

Ms. Laurine Moore, 3298 Turnberry Circle, representing Alpha Kappa Alpha Sorority recognized Ms. Edwards for her past, present and future works for Charlottesville.

Mr. Brandon Collins, 536 Meade Avenue, said that March 19th is the anniversary of the start of the Iraq war. He said Mr. John Yoo, who he said is a war criminal, will be speaking in Charlottesville. He said the war is illegal and asked Council to join in the protest against the war and Mr. Yoo.

Mr. Peter Loach, 1620 Rose Hill Drive, representing the Board and staff of Piedmont Housing Alliance, thanked the City for its support over the years, and listed benefits and services provided o the City by PHA.

Ms. Gloria Beard, 1116 Page Street, expressed concern about snow removal and the disabled. She said her street is narrow and people turn around and knock down her fence. She asked that the City consider putting a throughway on Page Street

Mr. Wesley Bellamy, 2334 Peyton Drive, NAACP, said there are issues within the predominantly African American community, a huge achievement gap in City Schools, issues with public housing (trash and broken playground equipment). He invited Council to the Spring Fling at Westhaven. He asked Council to work to get things done.

Mr. Downing Smith, 810 Locust Avenue, said that the agreement with Rivanna Water and Sewer Authority includes a termination date of 2012, and he asked Council to direct the City Attorney to prepare notices to terminate the contract. He said Council can always change its mind later.

Mr. Daniel Bluestone, 501 Park Hill, endorsed Mr. Cruickshank's comments. He said elected officials are responsible for making sure due process is fulfilled. Regarding Mr. Bellamy's point, he said the Meadow Creek Parkway is costing tens of millions of dollars. He said the County should pay for ramps to get people to the County.

Mr. Richard Berman, 205 2nd Street, N.W., asked whose idea it was to give bonuses to City employees when there was a budget shortfall.

Mr. Stratton Salidas, 704 Graves Street, echoed Mr. Bluestone's comments. He said the County Supervisors are looking out for the County. He agreed with Mr. Cruickshank that we need to see if the Parkway is legal. He noted that VDOT wants the City to say that an at-grade intersection would be okay.

Ms. Colette Hall, 101 Robertson Lane, echoed Mr. Cruickshank's and Mr. Bluestone's comments and asked Council to pass the resolution.

Mr. John Pfaltz, 1503 Rugby Road, said he got the overall feeling in December that the mall was a seedy place, with street vendors and the homeless and not many others on it. He said the homeless are a real problem, but we need to think about how they affect the mall. He said the City's program collecting damaged trees after the snow storms was a wonderful thing to do.

COUNCIL RESPONSES TO MATTERS BY THE PUBLIC

Ms. Szakos said she will be attending the Iraq war protest. Regarding Mr. Bellamy's comments, she asked how we can keep our eye on the ball of student achievement. Responding to comments made by Mr. Bluestone, she noted that the revenue sharing/school funding formula proposal in the General Assembly was defeated.

Dr. Brown said it is important that people who have not been to Council meetings before feel comfortable coming and speaking. He corrected one comment made by Mr. Bluestone, noting that while there are tens of millions of dollars being spent on the Parkway, they are not City dollars.

Ms. Edwards said that Alpha Kappa Alpha Society was started in 1908. She said she takes some responsibility regarding employee bonuses. She said she would have like to have given raises, but could not last year and will not be able to next year. She said it was done to acknowledge how hard people work and provided recognition to even the lowest paid employees. She said addressing homelessness is an ongoing process and is not easily solved. Regarding the Parkway, she said pedestrians, bike, transit and design matter.

Mr. Huja thanked Mr. Bellamy for coming to speak, and said he hopes he will remain engaged.

Referring to comments made by Mr. Bellamy, Mr. Norris said the reason other issues get attention is that people come to speak about them every week. He said he is glad that Mr. Bellamy is here and he hopes he comes back as we need to shed more light on those issues. Regarding Mr. Berman's comments, Mr. Norris noted that there is a provision in the State budget that there will be no State raises, but there will be a 3% bonus if revenues allow. Mr. Norris said City employees received an average bonus of

between 1% and 2%. Mr. Norris said Council has received an abundance of communication regarding allowing critiques of the Parkway to have their day in court. He said there seems to be a sense among Council that they would like to find a way to allow their day in court before ground is broken. He said the City Attorney has been asked to meet with representatives from the coalition to figure out a timeline and come back to Council with a proposal.

CONSENT AGENDA

Responding to a question from Ms. Edwards, Mr. Jim Tolbert, Director of Neighborhood Development Services, said that one of 10 subdivisions are in various stages of completion and staff is working with developers to get them finished. He said only a small portion on the bond will be used. He said the new street acceptance ordinance is helping.

On motion by Dr. Brown, seconded by Ms. Szakos, Council approved the following consent agenda items by the following vote. Ayes: Dr. Brown, Ms. Edwards, Mr. Huja, Mr. Norris, Ms. Szakos. Noes: None.

- a. Minutes of February 16 and 26
- b. **APPROPRIATION**: \$100,000 – Schools Contribution to Small Capital Improvements Program (2nd reading)
- c. **APPROPRIATION**: \$370,900 – Safe Routes to School Grant (2nd reading)
- d. **APPROPRIATION**: \$50,000 – Roy’s Place Subdivision Improvements (2nd reading)
- e. **APPROPRIATION**: \$45,730 – Domestic Violence Coordinator Grant (carried over)
- f. **RESOLUTION**: Authorizing Application for State Grant Funds for Park and Greenbelt Trail Purposes
- g. **RESOLUTION**: Supporting Funding Application for Buckingham Branch Railroad Company to VDRPT
- h. **ORDINANCE**: “AN ORDINANCE AUTHORIZING THE GRANT OF A UTILITY EASEMENT UNDER UNIVERSITY AVENUE TO THE RECTOR AND VISITORS OF THE UNIVERSITY OF VIRGINIA” (2nd reading)
- i. **ORDINANCE**: “AN ORDINANCE CLOSING, VACATING, AND DISCONTINUING THAT PORTION OF OAK STREET, AN UNACCEPTED RIGHT OF WAY, BETWEEN 6TH STREET AND 6½ STREET, S.W. ADJACENT TO PARCELS 97 AND 185 ON CITY REAL ESTATE TAX MAP 29” (2nd reading)

- j. **ORDINANCE:** “AN ORDINANCE TO QUITCLAIM NATURAL GAS LINE EASEMENT LOCATED IN THE MONTGOMERY RIDGE SUBDIVISION IN ALBEMARLE COUNTY TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION” (carried over)
- k. **ORDINANCE:** “AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 15 (MOTOR VEHICLES AND TRAFFIC) OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED, BY DECREASING THE MAXIMUM SPEED LIMIT IN CERTAIN SCHOOL CROSSING ZONES” (carried over)

PUBLIC HEARING: ANNUAL TAX RATE

Mr. O’Connell said that the real estate tax rate and personal property tax rates are proposed to remain the same. He said over 90% of residents will see a decrease or no real estate tax increase.

The public hearing was opened.

Mr. Charlie Kabbash, 308 E. Market Street, said he owns property on and around the mall and other commercial property. He said assessments this year stayed the same, but increased 9% last year, something he has never understood. He said he is having more residential vacancies longer. He said it seems an unfair balance of power.

Mr. Richard Berman, 205 2nd Street, N.W., said his assessment just went up 5% and he has not heard back from his appeal.

Ms. Colette Hall, 101 Robertson Lane, said a solution needs to be forthcoming regarding revenues for City and County Schools. She said Council is welcome to lower the tax rate.

Mr. Kevin Hirst, 13th Street, N.E., said taxes go to fund public education. He said we as a community must pull together in tough times. He said lowering the tax rate is not the thing to do at this time as we would come up short as a community.

As there were no further speakers, the public hearing was closed.

Mr. O’Connell said commercial assessments are down an average of 5% and most have gone down. He noted that there is a lag time in assessments.

Responding to a question from Dr. Brown, Mr. Brown said that if taxes were proposed to increase there would have been a 30 day notice, but we did not do the notice this year because there was no increase.

PUBLIC HEARING: CITY MANAGER'S PROPOSED FY 2011 BUDGET

Mr. O'Connell reviewed highlights of the proposed budget: no tax/fee increases; no service reduction; full support for City Schools, and no staff layoffs. He said State cuts are less than anticipated.

Responding to a question from Ms. Szakos, Mr. O'Connell said that the living wage will remain the same.

The public hearing was opened.

Ms. Elizabeth Brudan, 981 Old Lynchburg Road, a PACEM Board member, said PACEM is a coalition of the faith community that provides shelter for the homeless. She said the ABRT process listed them as a moderate priority. She asked Council to support funding for PACEM.

Ms. Colleen Keller, 675 Black Cat Road, representing PACEM, said this the first year they have applied for City funding. She said they are seeing an enormous increase in clients over last year. She said their capacity and sustainability were questioned in the ABRT process. She said she hopes Council will reconsider the review.

Mr. Dick Gibson, 1431 Grove Road, Chairman of JABA, said he appreciates Council's support over the year. He asked for an increase to replace stimulus money and a reduction in contributions. He said reductions could include no lunches provided at the Mary Williams Center and reduced days as well as reduced nursing services. He said auxiliary grant subsidies at Mountainside could also be reduced.

Ms. Colette Hall, 101 Robertson Lane, said this is not the time to spend money on an SRO, repainting the CTS logo and committing to new funding.

Dr. Matt Trowbridge, 702 Northwood Avenue, said he is a physician, public health researcher and on the Board of the Charlottesville Community Design Center. He said CCDC is an important resource and design matters to the City. He said it is important to engage citizens. He asked for Council's support.

Mr. Peter Kleeman, 407 Hedge Street, said he has not seen an equalization of the tax rate, and asked if it is in fact a cut. He said Council should consider if cutting taxes is appropriate at this time. He said he would be willing to pay a little more. He said the Parkway does get matching City funding and asked that it be postponed.

As there were no further speakers, the public hearing was closed.

Mr. Huja asked that more information on the agencies represented be provided at the budget work session.

Ms. Szakos said she would also like to look at the Child Advocacy Center.

PUBLIC HEARING/ORDINANCE: TEMPORARY RELOCATION OF JEFFERSON PRECINCT TO 1119 5TH STREET EXTENDED (MUNICIPAL ARTS BUILDING)

Ms. Sheri Iachetta, Voter Registrar, said she has received notice that the Carter Family Life Center will no longer be available to be used as a voting precinct. She said she hopes to use the Boys and Girls Club in 2011, but until then is proposing to use the Municipal Arts Building.

Ms. Szakos said she has heard concerns from residents that the Municipal Arts Building is not as central a location, but she said very few residents have that luxury.

Responding to a question from Mr. Huja, she said she is required to issue new voter cards to everyone in the precinct.

The public hearing was opened, but as there were no speakers, the public hearing was closed.

On motion by Mr. Huja, seconded by Ms. Szakos, the ordinance entitled “AN ORDINANCE AMENDING AND REORDAINING CHAPTER 9 (ELECTIONS), ARTICLE II, SECTION 9-29, OF THE CODE OF THE CITY OF HARLOTTESVILLE, 1990, AS AMENDED, RELOCATING THE POLLING PLACE FOR THE JEFFERSON PARK PRECINCT TO THE MUNICIPAL ARTS BUILDING AT 1119 FIFTH STREET, S.W.” was offered and carried over to the next meeting for consideration.

REPORT: GOOGLE BROADBAND

Mr. Chris Engel, Assistant Director of Economic Development, said Google is looking for trial locations for ultra high speed fiber networks, and the City, County and University of Virginia are cooperating on a single response which is due March 26. He said it will not provide free internet access and it will be a very competitive process.

Dr. Brown asked about the time frame, and Mr. Engel said a decision about locations will be made by the end of the year and it is expected to take two to four years to implement.

Ms. Szakos asked if Google will continue to maintain the infrastructure, and Mr. Engel said they say they will continue, but it is unknown if they will do that or sell it.

REPORT: CITY MANAGER EXECUTIVE SEARCH PROCESS

Mr. Galloway Beck, Director of Human Resources, gave an update on the procurement process for a search firm for the City Manager position. He said the two options are the cooperative procurement process and issuing an RFP. He said Springsted

has been identified for the cooperative procurement process, and they have assured him that they have the capacity to do the search.

Mr. Huja said this is one of the most important decisions Council will make, and he would like to proceed as soon as possible and involve citizens.

Ms. Szakos said the public involvement piece was reassuring about Springsted, and she is comfortable with that process.

Dr. Brown said he has a high opinion of Springsted and has worked with them before. He said time does matter and he favors proceeding with them.

On motion by Ms. Edwards, seconded by Mr. Huja, Council agreed to the cooperative procurement process with Springsted by the following vote. Ayes: Dr. Brown, Ms. Edwards, Mr. Huja, Mr. Norris, Ms. Szakos. Noes: None.

The meeting was adjourned.