

NOTICE OF SPECIAL MEETING

A SPECIAL MEETING OF THE CHARLOTTESVILLE CITY COUNCIL WILL BE HELD ON Monday, November 3, 2008 AT 6:30 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 Jeanne Cox

SECOND FLOOR CONFERENCE ROOM – November 3, 2008

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

On motion by Ms. Edwards, seconded by Mr. Huja, Council voted (Ayes: Dr. Brown, Ms. Edwards, Mr. Huja, Mr. Taliaferro. Noes: None. Absent for the vote: Mr. Norris) to meet in closed session for discussion and consideration of prospective candidates for appointment to City boards and commissions, and for the mid-year performance review of the City Manager, as authorized by Section 2.2-3711(A)(1) of the Virginia Code.

On motion by Ms. Edwards, seconded by Dr. Brown, Council certified by the following vote (Ayes: Dr. Brown, Ms. Edwards, Mr. Huja, Mr. Norris, Mr. Taliaferro. 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 – November 3, 2008

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

ANNOUNCEMENTS

Mr. Norris encouraged people to vote and noted that he has challenged the City of Falls Church to a friendly competition to see who has the highest percentage of voters. He said buses will be free on election day and JAUNT will be free for handicapped and elderly voters going to the polls.

Mr. Norris said there will be a ground breaking ceremony for the mall restoration on November 6th.

Ms. Edwards announced that school report cards have been mailed.

Dr. Brown noted that free bus passes to non-public school students who are City residents are now available.

Mr. Norris added a discussion of the expanded scope of work for the expert panel for the water supply and a discussion of the income requirement for Piedmont Housing Alliance's homes on John Street to Other Business.

AWARDS/RECOGNITIONS: MILITARY RESERVE AND NATIONAL GUARD

Mr. Norris honored City employees who are members of the National Guard and Reserves as a result of a U. S. Conference of Mayor's initiative. Representatives of the Assistant Secretary of Defense expressed gratitude that the Mayor had signed the statement of support of the Reservists and National Guard.

PUBLIC

Mr. Sean Dougherty, 126 Garrett Street, representing Octagon Partners, supported the parking study. He said it has taken longer than he was told. He said on-street parking on Garrett Street is unrestricted and parking does not turn over. He expressed concern that they will have to wait until the mall renovation is complete before the parking recommendations are done. He said he does not understand this as Garrett Street is three blocks from the mall. He asked that the City give them 15 parking spaces that turn over.

Ms. Colette Hall, 101 Robertson Lane, said it is the City's turn to choose the joint City/County appointment for the Rivanna Water and Sewer Authority and Rivanna Solid Waste Authority. She asked that the City choose someone with more technical knowledge of our water needs. She said there was no questionnaire in the City utility bills regarding the water supply and many people were voiceless about the survey.

Mr. John Wheeler, 505 8th Street, N.E., said RWSA is running amok with our money. He said there was no resolution of instruction from Council to the Dredging Task Force members. He said they need to be given written instructions that are recorded in the minutes.

Mr. Jack Brown, 1505 Dairy Road, urged Council to require that RWSA commission additional technical studies. He said we will not escape the need to maintain the reservoir. He said Council needs to require dredging studies.

Ms. Gail McIntosh, 9 Gildersleeve Wood, presented a resolution supported by the Jefferson Park Avenue Neighborhood Association regarding the Ragged Mountain Dam and dredging.

Ms. Maria Chapel, 129 Hazel Street, representing the Martha Jefferson Neighborhood Association, said her association joined the following neighborhood

associations in adopting a resolution regarding the Ragged Mountain Dam: Fry's Spring, Starr Hill, North Downtown, Jefferson Park Avenue, and Woolen Mills.

Ms. Mary Huey, 807 Village Road, added her voice to the previous comments. She expressed concern about the nebulousness of the figures to raise the dam. She said the true cost estimates of the entire Ragged Mountain project and dredging need to be looked at.

Mr. Richard Collins, 108 Wilson Court, said the charge of the Dredging Task Force that was created was not intended to reopen the basis parameters of the water plan, which has been confirmed by the Mayor and Chair of the Board of Supervisors. He said he wants the dredging study completed. He said we should find the best possible outcome for the plan.

Ms. Dede Smith, 2652 Jefferson Park Circle, said no one has any idea what the water supply plan will cost, and RWSA should not be given a blank check. She said Council needs to keep in mind what part of the plan will benefit Charlottesville residents.

Ms. Betty Mooney, 201 Sunset Avenue, said she is hopeful that Council will ask that the dredging survey go forward.

Dr. Joe Mooney, 201 Sunset Avenue, said Council has the opportunity to provide new leadership for RWSA. He said we have not seen a careful planning process, there is no representative of rate payers, and no fact based decision making.

Mr. Raymond Mason, 717 Cynthianna Avenue, said there are safety issues at Westhaven that remain to be addressed. He expressed concern about aggressive behavior by a police officer when he tried to cross the street recently. He said the police have no rapport with the black community.

Mr. Jock Yellott, 311 E. Market Street, said he understands that no decision will be made about the parking study tonight. He said he thinks a public hearing is needed on the study. He asked why residents and commuters were left out of the discussion and only business representatives were included. He questioned whether we want to change to zone parking.

COUNCIL RESPONSES TO MATTERS BY THE PUBLIC

Mr. Huja said that Council is addressing many of the concerns about the water supply and will discuss it later in the meeting.

Mr. Taliaferro said that Council is also concerned about the changing cost of the water supply plan and will seriously look at dredging before we go forward.

Dr. Brown said he shares concerns about the rising cost of the water supply plan, and agrees that we need to look at the expanding costs. He said his concern with the

resolution adopted by neighborhood associations is that it is not a choice of dredging or raising the dam as dredging alone is not enough. He said it was a thoughtful suggestion to use other sources. He said this is first time he has heard the plan referred to as a river restoration plan. He said the river benefits, but that is not the purpose of the plan. Regarding comments made by Mr. Mason, he said it is clear that he does not have a good rapport with the police, but he said he thinks we have a top notch department. He said when comments such as Mr. Mason's are made we are only hearing one side of the story.

Ms. Edwards said she has had discussions with Chief Longo about the police and the black community. She said she thinks there is a place for a useful and productive conversation so everyone can benefit. Ms. Edwards said Council will discuss the water plan more in depth later in the meeting. Regarding Ms. Hall's concerns about the survey, she said it could not be put in the City's utility bills because of the billing cycle, but an effort was made to reach as many people as possible. She said she made an effort to distribute the survey to public housing sites. Regarding the parking study, she said any study takes a long time. She said good things do happen with a deliberative process. She said a public hearing is a good idea.

Mr. Norris acknowledged Dr. Brown's comments about comments made publicly about City departments. He said there is a forum now in the Police Advisory Panel. He thanked Mr. Mason for reminding Council about safety issues at Westhaven.

APPOINTMENTS

On motion by Dr. Brown, seconded by Mr. Huja, Ms. Anne Broccoli and Ms. Stephanie Cangin were appointed to four-year terms on the Social Services Advisory Board by the following vote. Ayes: Dr. Brown, Ms. Edwards, Mr. Huja, Mr. Norris, Mr. Taliaferro. Noes: None. These terms will expire on June 30, 2012.

CONSENT AGENDA

On motion by Mr. Taliaferro, seconded by Dr. Brown, the following consent agenda items were approved by the following vote. Aye: Dr. Brown (except that he voted against the water conservation ordinance), Ms. Edwards, Mr. Huja, Mr. Norris, Mr. Taliaferro. Noes: Dr. Brown only on the water conservation ordinance.

Dr. Brown said he voted against the water conservation ordinance because while the ordinance tightens certain regulations, it loosens restrictions on planting. He said while that may be an economic benefit, it will allow more water to be used.

a. Minutes of October 6, 9 and 17

b. **APPROPRIATION**: \$18,000 – Highway Safety Grant (carried over)

c. **APPROPRIATION**: \$7,118 – Regional Jail Grant (carried over)

- d. **APPROPRIATION:** \$17,998 – Justice Assistance Grant (carried over)
- e. **APPROPRIATION:** \$8,428.52 – Sheriff’s Office Reimbursement for Extraditions (carried over)
- f. **RESOLUTION:** \$22,707 – Allocation of Funds for Teen Pregnancy Program to TeenSight and Jefferson Area CHIP
- g. **RESOLUTION:** Allocation of Up To \$750 from Council Reserve to JAUNT Friends (Transportation for Elderly and Disabled City Residents to Polls)
- h. **RESOLUTION:** Tennis Court Lighting at Towe Park
- i. **ORDINANCE:** “AN ORDINANCE AMENDING AND REENACTING THE ZONING MAP INCORPORATED WITHIN SECTION 34-1 OF THE CHARLOTTESVILLE CITY CODE, 1990, AS AMENDED, BY THE REZONING OF 212 ROSSER AVENUE TO ADD AN HISTORIC OVERLAY DISTRICT DESIGNATION TO THE PROPERTY, AND ALSO AMENDING AND REENACTING SECTION 34-273 OF THE CHARLOTTESVILLE CITY CODE TO ADD THE PROPERTY TO THE CITY’S LIST OF INDIVIDUALLY PROTECTED PROPERTIES” (2nd reading)
- j. **ORDINANCE:** “AN ORDINANCE TO AMEND ARTICLE V (STOPPING, STANDING AND PARKING) OF CHAPTER 15 (MOTOR VEHICLES) BY ADDING A NEW SECTION 15-152 TO THE CHARLOTTESVILLE CITY CODE, 1990, AS AMENDED, TO PROHIBIT IDLING THE ENGINE OF A BUS FOR AN EXTENDED PERIOD OF TIME” (2nd reading)
- k. **ORDINANCE:** “AN ORDINANCE AMENDING AND REORDAINING SECTION 34-216 (Enumeration of Zoning Districts) OF ARTICLE I, AND SECTION 34-796 (Use Matrix – Mixed Use Corridor Districts) OF ARTICLE VI (Mixed Use Corridor Districts), OF CHAPTER 34 (ZONING) OF THE CHARLOTTESVILLE CITY CODE, 1990, AS AMENDED” (carried over)
- l. **ORDINANCE:** “AN ORDINANCE AMENDING AND REORDAINING SECTION 34-870 OF ARTICLE VIII OF CHAPTER 34 (ZONING) OF THE CHARLOTTESVILLE CITY CODE, 1990, AS AMENDED, RELATING TO MAINTENANCE OF STREETScape TREES IN THE PUBLIC RIGHT OF WAY” (carried over)
- m. **ORDINANCE:** “AN ORDINANCE AMENDING AND REORDAINING SECTION 34-796 (Use Matrix – Mixed Use Corridor Districts) OF ARTICLE VI (Mixed Use Corridor Districts), OF CHAPTER 34 (ZONING) OF THE CHARLOTTESVILLE CITY CODE, 1990, AS AMENDED, RELATING TO

THEATERS IN MIXED USE DISTRICTS” (carried over)

- n. **ORDINANCE:** “AN ORDINANCE TO AMEND AND REORDAIN SECTION 31-125 (CONSERVATION OF WATER DURING EMERGENCIES) OF ARTICLE III (WATER AND SEWERS GENERALLY) OF CHAPTER 31 (UTILITIES) OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED, TO CHANGE RESTRICTIONS ON THE CONSERVATION OF WATER DURING EMERGENCIES” (2nd reading)

APPEAL: BOARD OF ARCHITECTURAL REVIEW DENIAL OF DEMOLITION OF 110 10 ½ STREET, N.W.

Ms. Mary Joy Scala, Preservation and Design Planner, explained that the applicant is appealing the decision of the BAR to deny demolition of 110 10 ½ Street, N.W., which is a contributing building in the West Main Street Architectural Design Control District. She said the building is historically known as the Moon-Henderson House and was constructed circa 1883-1893. She said a similar request was made by the previous owner and also denied by the BAR. She said that if Council overturns the BAR decision, the applicant can demolish the building. She said if Council upholds the BAR decision, the applicant has the options of appealing the decision to the Circuit Court or placing the property on the market for sale. If it is not sold within a year, he may demolish the building. Mr. Scala said the applicant’s reason to pursue demolition is he cannot financially justify renovating the building.

Mr. Bill Chapman, applicant, said that he could not find a lot to disagree with regarding the BAR’s decision based on their guidelines. He said they suggested waiting until the area is improved to renovate the building. He said the building keeps getting broken into and was condemned. He said the estimate to convert it to retail/office space is \$320,000 which is financially infeasible. He said it is an unsafe situation and he wants to fix that. Mr. Chapman said the building was last occupied in 2003 with the previous owner. He said he was not comfortable with the condition of the house when he bought it and he did not renew the lease.

Mr. Norris asked if Mr. Chapman was aware the building had previously been to the BAR for demolition and the request was denied, and Mr. Chapman said he did not know for sure, but was not surprised.

Ms. Scala said the BAR went through the criteria and found no reason to allow demolition.

Dr. Brown said it bothers him to see demolition by neglect to justify tearing down a building. He said he thinks the BAR made the appropriate decision based on the rules, and he is not comfortable allowing the building to be torn down.

Ms. Edwards expressed concern that the last vestiges of the African American community are disappearing. She said she likes to think the building is still valuable, and is an historic treasure given the era when it was built.

Mr. Huja said he agrees with Dr. Brown and Ms. Edwards. He said he understands the economic hardship, but the building is structurally sound. He said the owner has the option to put the building on the market for a year.

Mr. Taliaferro said he sympathizes about the financial burden, but would like to see the building preserved as it is an important part of the City's history. He said he would vote to uphold the BAR's decision.

Mr. Norris said he concurs. He said there is a fair balance in the Code, and the applicant can offer the building for sale.

On motion by Dr. Brown, seconded by Mr. Taliaferro, Council voted to uphold the decision by the BAR to deny demolition of 110 10 ½ Street, N.W. by the following vote. Aye: Dr. Brown, Ms. Edwards, Mr. Huja, Mr. Norris, Mr. Taliaferro. Noes: None.

REPORT: PARKING STUDY

Mr. Jim Tolbert, Director of Neighborhood Development Services, said a parking study was begun in early spring to address the following basic issues: whether adequate parking is provided currently and for the future; whether the current designation of spaces in the core area is meeting community needs; whether the existing parking exempt zone is still appropriate; and whether and how transit can help to reduce downtown parking demand. Mr. Tolbert said the basic findings of the study are: 1) There are problems associated with the current designation of space in the study area related to an increase in business and a change in the business mix on the mall. Loading and delivery is extremely difficult and solutions to problems it generates will greatly improve traffic flow and safety. 2) The parking exempt zone has outlived its usefulness and should be changed. 3) Increased transit ridership can reduce the demand for parking but these increases need to be substantial if we are to see a significant impact. 4) Parking should be managed and enforced in a coordinated and planned manner. There is no current coordinated plan for how on-street spaces are designated nor is there coordination with enforcement. 5) While there may not be a need for an additional parking structure at this moment, there will be in the very near future, and the City should identify a location and begin planning for construction now. Mr. Tolbert said there are approximately 6,000 parking spaces, of which about 5,000 are off-street and 1,000 are on-street. Mr. Tolbert said the following is the action plan recommended to implement the changes: 1) Change the on-street parking system to the recommendations outlined in the study. This recommendation proposes to: Restrict delivery by tractor trailer to Water Street, Market Street and both mall crossings at 2nd and 4th Streets. After 11:00 a.m. these vehicles will be restricted to Water and Market Streets; Create a temporary delivery placard to be given to each business to allow them or their customer to use spaces on the numbered side streets for delivery; Maintain the same number of handicap spaces as currently exist;

Where 30 minutes and 2 hour spaces exist intended for short term parkers, convert those to one hour; Convert approximately 15 of the spaces in the block around the ACAC and Gleason's properties from all day to two hour parking; Create 12 Vespa/Motorcycle spaces where all day parking is allowed. 2) Initiate a zoning text amendment for planning commission action that would eliminate the parking exempt zone for downtown projects and require parking at a suggested rate of one space per residential unit and fifty percent of the currently required non-residential use requirement. The developer would have the option to meet the requirement either on-site, within 1,000 feet of the site, or by paying "x" dollars into a fund to build or pay for the next public garage. They would then receive spaces in that garage. The "x" dollar fee would be set by the Economic Development Office annually. 3) Direct the City Manager to move parking enforcement from the Police Department to the Department of Neighborhood Development Services including the seven positions and equipment. This division will be created under the direction of the Traffic Engineer and will also serve as Downtown Ambassadors. The intent will be to create an efficient division with fuel efficient transportation and time efficient technology. The placement with the Traffic Engineer should provide coordination between enforcement and the position that makes changes and issue temporary permits. 4) Make changes to the parking ordinance as needed to implement all recommended changes. 5) Direct the staff to evaluate and choose a location for the next parking garage and develop a financing plan to present to Council. Mr. Tolbert said that public meetings will be held on the parking study on November 14 and 18, and it is recommended that Council hold a public hearing after those meetings.

Mr. Norris clarified that responsibilities are recommended to be shifted, but no new staff added, and Mr. Tolbert said that is correct, and it is hoped that the number of employees could actually be reduced.

Dr. Brown said the City's parking policy has been described as generous, but he said it does not appear that the cost of parking is a deterrent. He said he does not understand the logic of not recouping the cost. He said the committee may have been heavy with merchants.

Mr. Tolbert said the committee's recommendation is to not implement the new parking meters immediately, but to consider them later.

Dr. Brown said he would not oppose parking meters, and asked what is estimated to be raised if they are added.

Mr. Tolbert said it is estimated that the amount, including fines and meters, would be \$700,000 annually.

Dr. Brown said he thinks we should look into meters and expanding the number of spaces for vespas. He said a pet peeve of his is blocking off space for tour buses when they are only used for brief periods of time.

Mr. Tolbert said they are also looking into a camera system for parking enforcement.

Dr. Brown said a system that does not impede traffic would be good.

Mr. Huja expressed concern that reducing spaces to one hour does not leave time for lunch on the mall. He said fewer businesses are stamping parking tickets for the garages. He agreed with more spaces for vespas. He noted that the exempt zone was established to avoid destroying buildings for parking. He asked if there is data on the number of businesses that stamp parking tickets. He said the previous experience with meters was that they were more trouble than they were worth. He said he supports the idea of one free parking ticket.

Mr. Taliaferro said he is guessing the recommendation to go to one hour parking is to eliminate the parking shuffle.

Mr. Tolbert said that and encouraging people to use the garages. He said there is concern about the one hour recommendation.

Ms. Edwards asked if we know where people come from who park downtown, and is there a way to reduce the number of cars.

Mr. Tolbert said we need to look for opportunities for employee parking especially for low wage workers.

Mr. Norris said he is glad to hear that as a lot of people are not earning much money which is why they park in two hour spaces. Mr. Norris said a long-term pet peeve of his is restricting parking after 9:00 p.m. around Friendship Court as people who come downtown at night would park there. He said he believes the current owners of Friendship Court would agree to allowing parking after 9:00 p.m.

Mr. Tolbert said Chief Longo and he have been having discussions about that, and Chief Longo might be willing to convert some of the spaces.

Mr. Norris said he feels the question about why wait on addressing some of the issues is a good one.

Mr. Tolbert said the feeling is there will be so much disruption that it is not good to make changes while renovations are going on. He noted that the building that Mr. Dougherty is involved in is under construction. He said it is felt the changes should be done comprehensively and all at once. He said if more spaces on Garrett Street can be picked up with no net loss that could be done earlier.

Mr. Norris suggested looking at partnering with private garages to provide night parking. Mr. Norris asked if there will be a lag time for businesses that opt to provide a payment for parking elsewhere in lieu of providing parking on site.

Mr. Tolbert said that parking can be provided in the Water Street parking garage.

Mr. Norris agreed with Dr. Brown about the tour bus spaces and to forgive one parking ticket. He said he is not sure about the meters, but is willing to float the idea as a trial.

REPORT: REGIONAL TRANSIT AUTHORITY UPDATE

Mr. Norris said that Council approved in concept legislation to allow a regional transit authority, but the City Attorney was asked to bring back the exact language.

Mr. Craig Brown, City Attorney, said that the legislation was drafted out of the working group. He said no funding mechanism is included, just the enabling legislation for a regional transit authority. He said it is general in nature, and details would be included in a future agreement.

Dr. Brown clarified that the legislation allows, but would not create a transit authority, and Mr. Brown said correct.

Dr. Brown said that until the City and Albemarle County are on a level playing field financially, with differential voting, the City should not cede control.

Mr. Norris said that if we either do not get the funding authority or if Albemarle County does not significantly increase its support financially, it begs the question of whether it is worth it to create an authority.

Mr. Brown said the proposed legislation will be submitted to the City's elected representatives in the General Assembly. He said it could undergo changes once there, but he will keep Council advised.

On motion by Mr. Huja, seconded by Mr. Taliaferro, the legislation requesting authority for a regional transit authority was approved by the following vote. Ayes: Dr. Brown, Ms. Edwards, Mr. Huja, Mr. Norris, Mr. Taliaferro. Noes: None.

Mr. Norris said the second piece of legislation regarding funding of an RTA will be coming back to Council at a later date.

REPORT: CITY COUNCIL PRIORITIES/WORK PLAN

Mr. O'Connell presented a work plan that was developed out of Council's priorities as discussed at Council's retreat.

Mr. Huja said he feels the work plan reflects the discussions at the retreat. He expressed concern that adding 100 trees a year is not enough. He said he would like to expand the transit system and make it more frequent.

Mr. O'Connell said the number of trees was based on the money available in the budget. He said expanding transit will be a funding issue. He said it would cost approximately \$350,000 for a new route unless an existing route is eliminated.

Mr. Norris said he would like us to be more creative in promoting minority businesses. He said he would like to see us go well beyond the recommendation to use our local workforce for the mall refurbishment to ensure that our local residents benefit by infrastructure improvements. He said he would also expand connecting with young people and the under employed.

Mr. Taliaferro said he agrees with Mr. Norris on workforce development, but agreed we should start with using local residents for the mall renovations.

Ms. Edwards said she would like to see more involvement with the One Stop Center. She said she would like to find out more of the role of Piedmont Virginia Community College in workforce development.

RESOLUTIONS: HOUSING POLICIES AND PRIORITIES AND REALLOCATION OF AFFORDABLE HOUSING FUNDS

Mr. Tolbert said the two resolutions grew out of the recommendations of the Housing Advisory Committee and Council's affordable housing work session. He said the first resolution will adopt each of the three policies and reconfirm the membership of the Housing Advisory Committee, including terms, the charge, and that Council will make all appointments. The second resolution will allocate the \$100,000 to the Charlottesville Redevelopment and Housing Authority for their master plan and \$50,000 for the housing planner. He said the idea is not to hire a planner at this time, but to use an intern to college data given the financial situation.

Mr. Norris clarified that policy one will provide funding for City residents or those employed in the City for five years.

Mr. Huja expressed concern about spending City money in Albemarle County. He asked why put the money aside if we are not going to hire a housing planner.

Mr. Tolbert said the idea is not to allocate the money for something else. He said if a decision is made to fill the position the money needs to be available.

Mr. Huja said he would like to see basic staff protected before the housing planner is added, and Mr. Tolbert agreed.

Mr. Huja expressed some concern about the size of the Housing Advisory Committee. He said he would like to see more citizen members on the Committee as the current members seem to represent an agency or be on the receiving end. He said perhaps some of the agency members could be replaced.

Mr. Norris asked if Mr. Huja has any suggestions. He noted that the Committee has not been unwieldy.

Mr. Tolbert said they have had difficulty filling the realtor and banking positions, and said perhaps they could be replaced with citizen members.

Mr. Norris said we need to clarify who has voting power. He said some representatives have been asked to attend meetings, but not be on the Committee. He suggested removing the Albemarle County representative as a voting member, and noted that IMPACT has never expressed an interest in being a voting member.

Dr. Brown said he has no problem with our funds being used in Albemarle County, and thinks that is a good use of our funds. He agreed with being cognizant of holding off on the planner position given the current hiring freeze. He said this issue should come back when and if the time is right.

Ms. Edwards agreed with Dr. Brown, and said we still need the information.

Mr. Huja made a motion to approve the resolution regarding the policies and the Housing Advisory Committee, removing Albemarle County and IMPACT as voting members, and adding at-large members. Dr. Brown seconded the motion and the resolution was approved by the following vote. Ayes: Dr. Brown, Ms. Edwards, Mr. Huja, Mr. Norris, Mr. Taliaferro. Noes: None.

On motion by Dr. Brown, seconded by Mr. Taliaferro, the resolution regarding the \$100,000 for CRHA and \$50,000 for a housing planner was approved by the following vote. Ayes: Dr. Brown, Ms. Edwards, Mr. Norris, Mr. Taliaferro. Noes: Mr. Huja.

Mr. Huja said he voted against the resolution because he does not agree with the recommendation about the housing planner.

OTHER BUSINESS

Mr. O'Connell presented an expert panel scope of work outline for the water supply plan. He said the proposal will also have to be submitted to and approved by the Rivanna Water and Sewer Authority, Albemarle County Board of Supervisors, and Albemarle County Service Authority.

Mr. Norris read the work outline.

Responding to a question from Mr. Taliaferro, Mr. O'Connell said the idea of the panel of experts came out of the concern about the increased cost. He said it suggests that we look at all pieces of the plan at the same time.

Mr. Norris said it is implied, but perhaps we should state that work on the dam will not proceed until the other studies are completed.

Mr. O'Connell said that is the intent, but it can be added. He said he does not know how long the studies will take. He said the idea is to have the panel in place by January.

Mr. Huja said he is pleased to look at all of the elements at one time.

Dr. Brown said it points out how complex the issue is. He said some of the recommendations are to look over the shoulder of work that has been done and agree or disagree, while others are to look at new work.

Mr. O'Connell said the intent is to look at updated costs so we can look at alternatives.

Regarding the pipeline, Mr. Norris said the idea is to look at the information we have and give a more concrete estimate, and to bring in a firm that does not have a stake in the process.

Dr. Brown said he thinks this is a good idea. He said his specific concern is to see if the costs of the pipeline are in line. He said the result will either be reassuring or will point out flaws.

Ms. Edwards said she likes it because it is a holistic approach and will provide a second opinion.

Mr. Norris said he is pleased to see a more holistic and comprehensive look at conservation. He said the water supply plan is not a river restoration project, but the difference in the adopted plan and the plan by Citizens for a Sustainable Water Supply is how much are we willing to invest. He said if the plan was just to restore the river it would be much cheaper. He said knowing the true cost differential between what it would take to restore the natural flow and in-stream flow will be valuable information, and are we willing to incur that cost. He said he hopes the County concurs that this information is important to have.

On motion by Mr. Huja, seconded by Mr. Taliaferro, the scope of work, with the statement added that work on the dam will not begin until the studies are complete added, was approved by the following vote. Ayes: Dr. Brown, Ms. Edwards, Mr. Huja, Mr. Norris, Mr. Taliaferro. Noes: None.

Mr. O'Connell said that Piedmont Housing Alliance has asked the Council to allow the VHDA first time home buyer income levels to be used for the affordable units on John Street rather than 80% of the AMI.

Mr. Stu Armstrong, Executive Director of PHA, said that the idea of the development was to have four market rate houses and two affordable houses. He said City employees have expressed an interest in purchasing the affordable units, but their incomes were over the 80% AMI level. He said a bank loan is due and PHA needs to sell the units. He said a lot of political capital has been spent on this project, and he asked Council for flexibility and the ability to use VHDA first time homeownership guidelines.

Mr. Huja noted that no City funds were used in the project. Mr. Huja said he serves on the PHA Board, but is not paid so he has no conflict of interest. He said given that no City funds are in the project, he would agree to the request.

Mr. Taliaferro said he is in favor of allowing the VHDA guidelines in this instance.

Mr. Norris said he will agree to the request because there are no City funds in the project and because the units will still be affordable based on VHDA guidelines.

Dr. Brown agreed.

Ms. Edwards said she does not want to create obstacles to housing.

Dr. Brown made a motion to allow PHA to use VHDA guidelines for first time homeownership for the two affordable units on John Street, Mr. Taliaferro seconded the motion, and it was approved by the following vote. Ayes: Dr. Brown, Ms. Edwards, Mr. Huja, Mr. Norris, Mr. Taliaferro. Noes: None.

Mr. Taliaferro asked about the City residency requirement, and Mr. Brown noted that in this instance the City Manager can waive the City residency requirement.

PUBLIC

Mr. Peter Kleeman, 407 Hedge Street, recommended that a more balanced and comprehensive approach be taken regarding access to downtown. He said a large garage is under construction north of High Street. He said Council should expand its thinking and include transit.

Mr. Dan Geoff, 3890 Seminole Trail, said he works for a minority owned motor coach business. He asked that Council look at the bus idling ordinance and consider an amendment for weather. He said he would like to contribute to the regional transit authority issue.

Ms. Betty Mooney, 201 Sunset Avenue, said she appreciates Council's willingness to look at the water supply issue with new eyes. She said neighborhoods want the dredging survey to move forward. She said there is a conflict with some of the dredging task force members. She said we have to have the dredging surveys before anything goes forward with the dam and pipeline.

Mr. Kevin Lynch, 609 Locust Avenue, said Ms. Mooney makes a good point and there has been an improvement on Council's position. He said it is important that the consultant be accountable to Council and the Board of Supervisors. Mr. Lynch said a lot of advice from RWSA has been bad. He said there has been misinformation about rebuilding the dam to the current level and the natural flows of the Moorman's River. He said Council needs to be in control of information.

Dr. Joe Mooney, 201 Sunset Avenue, agreed with Ms. Mooney. He said Council should take the time to give the expert panel scope of work to the public and allow public comment on it. He said several things need debate, including approved permits, and Buck Mountain. He said there has never been a documented study of the eco system at Buck Mountain and the presence of the spiny mussel.

Mr. Richard Lloyd, resident of Albemarle County, said there is a controversy about the safe yield of the Moorman's River. He said there are no technical members on the dredging task force.

Mr. Norris said that the scope of work is a work in progress, and the County has to respond to it. He said we have made it very clear that we all want better information. He said we also made clear that the dredging task force is not responsible for the water supply plan.

Mr. Norris asked if exceptions could be made in the idling policy since the ordinance is based on State law.

Mr. Brown said the ordinance parrots the enabling legislation and he would have concerns about deviating from it as it needs to be consistent with the State.

Mr. Geoff said that when a bus is turned off it take six to eight minutes after it is restarted to get air up for the brakes.

Mr. Huja suggested that Mr. Geoff follow up with the City Attorney.

Dr. Brown said he does not find the arguments by Mr. Geoff particularly persuasive. He suggested getting more examples of what would make it a better policy and seeking the necessary legislation. He said we should not just let buses idle. He suggested that we also talk with other bus operators.

Mr. Norris said he would like to think we could enact an ordinance less strict than what State law allows.

The meeting was adjourned.