The City Council Work Session was held on June 10, 2019 at 4:00 in the Stryker Center, 412 N. Boundary Street.

1. **CALL TO ORDER**
   Mayor Paul T. Freiling called the meeting to order.

2. **ROLL CALL**
   The following members were present:
   Mayor Paul T. Freiling, Barbara L. Ramsey, Benming Zhang and Edward Maslin. Vice Mayor Douglas G. Pons was absent. Also present were City Manager Andrew Trivette, City Attorney Christina Shelton and Clerk of Council Debi Burcham.

   Staff Attending:
   Finance Director Barbara Dameron, Fire Chief Pat Dent, Economic Development Director Michele Mixner DeWitt, Police Chief Sean Dunn, Human Services Director Wendy Evans, WRHA Director Tyrone Franklin, Parks and Recreations Director Robbi Hutton, and Planning Director Carolyn Murphy. Staff in Attendance: Communications Specialist Lee Ann Hartmann and Executive Assistant Sandi Filicko.

3. **ITEMS FOR CITY COUNCIL MEETING OF JUNE 13, 2019**

   A. **COUNCIL PREVIEW**
      Mr. Trivette highlighted for Thursday a public hearing on the conversion of EconoLodge on Parkway Drive to affordable housing and consideration of an MOU for the moving of LaunchPad into the William and Mary Entrepreneurship Hub downtown.

   B. **PUBLIC COMMENT**
      Charles Glazener, 319 S. Boundary Street, appeared before City Council as a landlord in the City. He stated there's a provision in the City's ordinances whereby if a tenant doesn't pay their water bill, that the landlord can be held responsible. That is one of several solutions the Water Department has in order to collect bills. He feels that is completely wrong and that remedy needs to be no longer enforced. There is a transaction between two parties, an agreement between the tenant and the City to provide water. If they don't pay their bill, it's up to the City to deal with it not the landlord. He said he didn't drink their water or use their water for any reason whatsoever. His company doesn't do that. The City of Newport News doesn't do that. He's unsure if James City County does it.
or not. But it is absolutely unfair to hold the landlord accountable for somebody's water bill. The reasons that he has heard pretty much goes to the bottom line of it's the law, we're just following the law. That's sort of like we're just following orders - pretty weak stance. He's sure the city attorney can provide Council with the ordinance. He'd like to come back at the next Council meeting and perhaps Council can take time to try and justify this. Municipalities, state governments and federal governments make laws that are not good and this is one of them. Not only should it be stricken from the records but the local representatives should be made aware of it, take it back to Richmond and say bad law. Undo this, this is unfair. Mayor Freiling asked Mr. Trivette over the next couple weeks to have conversations individually with some Council Members to give them some background, get feedback and they see what they think on this.

4. BACKGROUND PRESENTATIONS/DISCUSSION
   A. Presentation on the Progress and Connectivity of the I-64 Widening Planned from Richmond to Norfolk Including the Format of the Hampton Roads Bridge Tunnel - Andrew Trivette, City Manager

   Mr. Trivette introduced Mr. Crum from the HRPDC to give a presentation on the I-64 project. Mr. Trivette noted the project now spans all the way from the City of Richmond through the HRBT. Mr. Crum, Executive Director of the Hampton Roads Transportation Planning Organization and the Hampton Roads Planning District Commission, thanked the Mayor and City Council Members for the opportunity to highlight the entire project and the impact on the City of Williamsburg. Mr. Crum introduced Mike Kimbrel, the Deputy Executive Director who is in charge of the Transportation Planning Department. Mr. Crum said they will have some updates on an exciting time for Hampton Roads, for the peninsula and some of the projects that are occurring. They will also talk about how to mobilize as a region, to improve the connectivity from Hampton Roads, from the peninsula, getting to I-295 and a strategy for trying to advocate for those improvements. He started with the bigger picture and talked about the construction that is happening in Hampton Roads. This goes back to a decision that was made by the General Assembly in 2013. This region, for many decades, has always had a list of transportation priorities - all of them on the interstate highway network. But there was never the funding to really move the construction and that all changed in 2013 when the General Assembly approved House Bill 2313. Which in Hampton Roads and Northern Virginia, the only two regions at that time in Virginia, created regional taxes to help with transportation project construction. In Hampton Roads gas tax, sales and use tax is a little higher to generate about $180 million per year that is put into the Hampton Roads Transportation Fund. That fund is managed by one of our partner organizations, HRTAC. That money is required to be dedicated to projects in Hampton Roads that offer the most congestion relief for residents within this Planning District Commission. we're really excited about what's been done with those monies and those projects. Mr. Crum reviewed several of those projects including I-64/I-264 interchange improvements, the high-rise bridge widening and I-64 Southside, the Bowers Hill interchange, the Hampton Roads regional connector study, I-64 peninsula widening and the I-64/HRBT widening, which is the largest construction project in the history of Virginia. They are really pleased...
that the region has come together and prioritized that project for construction with completion due in 2025. On the military base side of the current bridge tunnel, they will be using a directional boring machine instead of submersion tubes, connecting the tubes and syncing them they'll actually bore underwater. That will help keep the channel open for the military and for the port. The final cross-section will be three lanes on each side in the approach and four lanes underwater. Mr. Crum noted this outlines $5 billion of transportation investment. Ninety-two percent of those dollars are local regional tax dollars, zero federal dollars thus far. Where they want to go next is the completion of “the gap” between Hampton Roads and Richmond. Richmond has begun widening I-64 from I-295, moving this way to Bottoms Bridge. That leaves about a 29-mile gap in between their project and where Richmond is going to Bottoms Bridge. They believe the number to construct that gap is somewhere in the $450 - $600 million range. There aren't as many bridges or complexities in that 29-mile gap. The challenge for finishing the gap is there's just not a lot of funding available at the state level. Another challenge is neighbors to the west of the Richmond region do not have the regional taxes available. This tax money cannot be spent outside of Hampton Roads. Last year in the funding competition for SmartScale statewide there was $400 million available statewide. HRBT took $200 million of that - half of it because of the congestion relief. There's not a lot of money available statewide to get at this gap project. However, something happened the last General Assembly session that presents an opportunity and that was the I-81 funding agreement. There is a similar funding package created for Interstate 81 with some taxes and fees. As part of the negotiation of that deal some money was allocated to Northern Virginia, some to I-95 in the Fredericksburg area and also monies were allocated to Interstate 64. It is going to take a couple years for this funding to ramp up. In the neighborhood of $27 - $27.3 million a year will be available for the I-64 corridor. It is not very detailed where that I-64 corridor is. They interpret that as being from this region the whole way to Interstate 81. As a region, they are going to bring this to the regional board on July 18th. Some neighboring localities have already started to sign on to ask the state when they start allocating that money from the I-81 funding agreement, to make completion of the gap a priority. To start applying that $27 million a year to this gap and to start here in the Hampton Roads region. There are nine miles left in Hampton Roads from where the Phase Three project ends to the New Kent County line. Mr. Kimbrel told Council there's 75 miles of I-64 from the New Kent County line to all the way down to Bowers Hill. With the projects talked about earlier, the parts of I-64 that are already at least six lanes wide, would mean that with those projects in place, 66 of the 75 miles of I-64 in Hampton Roads is at least six lanes wide. That's a strong point. The other thing is for all those projects on I-64, about 92% of that is being paid for with regional dollars, through extra gas tax and sales tax. That makes a point to spend some state dollars on this piece of I-64.

Council thanked Mr. Crum and Mr. Kimbrel for the presentation. Vice Mayor Pons asked how that gap fell out of any out of the Hampton Roads transportation district. Mr. Crum explained that the regional TPO includes up to our up to their line in the county and leads all of the Hampton Roads region. For Richmond, their congestion is in that I-95/I-64 corridor in areas west. So when they're
looking at investment for congestion relief, it tends to be in in those locations. The difficult thing is it falls outside of the geographic area where they can actually invest those dollars. They believe they can make a strong case for military accessibility, the importance to national security and a very strong case for import and export from the port and how that drives the economy, not only in our Commonwealth but in East Coast. Mr. Crum noted they believe they can get 17 localities behind this as this segment of I-64 critical for the entire region. They are going to meet with the Hampton Roads Delegation on August the 28th and this item will be shared with them as an important regional priority. Mr. Zhang suggested telegraphing this idea to the Governor's administration and getting some of the feedback from the administration or individual delegate members. Mayor Freiling asked about the four lanes in the new tube (HRBT), if it has been decided the direction they will flow. Mr. Crum explained that heading east there will be “managed lanes” that will be high occupancy toll lanes or HOT lanes. That means a single passenger would pay a modest toll in the $.60 to $1 or $2 range. A vehicle with multiple passengers may ride in those lanes for free. There will be two general purpose lanes and two HOT lanes, the whole way down to I-564. Mayor Freiling clarified that it works with a transponder in the vehicle, an E-ZPass that has the HOV capacity switch. The Mayor also asked about money available at the federal level. Mr. Crum said they are very hopeful that their federal delegation will come together to advocate for funding for this area. They believe this is a prime example a federal infrastructure package is needed. Constituents are paying extra taxes for projects that are normally funded by the federal government on the interstate highway system.

B. Presentation of the Greater Williamsburg Chamber and Tourism Alliance Quarterly Tourism Report - Victoria Cimino, CEO Williamsburg Tourism Council
Ms. Cimino thanked Council for the opportunity to talk about what she has been working on. She has been in her position about eight weeks and feels that she is making some good strides. She gave an outline of her 30/60/90-day approach to building this Destination Marketing Organization. At the end of the day, the business goal is to increase tax revenue. Her first 30 days on the job has been working with the staff, internally auditing and taking a hard look at having folks in the right positions. She has been meeting with members of the Tourism Council and stakeholders one-on-one. She’s developed an organizational structure that she believes will get them closer to being tooled up in a way to meet their business goals. She has drafted job descriptions and taken a look at all of their contracts, and has begun to draft new scopes of service. Leading into the next phase, 60 days in, she will assign her current team into more appropriate roles in some cases. There will be new leadership roles that will need to be posted. They will issue some requests for proposals for current contracts. She feels it’s a healthy exercise to go through but also it’s been a while and she would really like to have a stronger grasp on what those deliverables that are procured. They will also kick off a strategic plan process and that's going to be really important as she hopes Council and staff be involved in that process. This is something she hopes that all three municipalities will be involved in, as it will be successful with that engagement in that cooperation. That will really provide a 3-5 year roadmap and hard goals to judge how they are doing. As part of that, there will be stakeholder one-on-one meetings. Moving forward to sort of the 3-
4 month mark, she is hoping that procurement processes will be completed and that contracts can be awarded. It may be incumbents, it may not. She wants to launch a change management plan so that the staff is engaged in the evolution of this organization. She thinks it's also important for the staff to be engaged in creating vision, mission and values. She thinks that this will really help folks who are currently there and folks will come to the organization to be engaged in building the shop. Team development will be a big part of that. Stakeholder engagement will continue to be a major part of what they do and she’s hopeful at the end of this 3-4 month period that they will have at least a blueprint of what their strategic plan looks like. Strategic planning processes can last a year plus so this will at least give them some foundation to start with. Ms. Cimino noted some successes and wins in April and May. She stated she believes that phase one will likely take between 45 and 60 days. She would like to bring in a third party to help support the development of this plan. That will include an immersion session, interviews, surveys, some sort of retreat with the team and the internal staff. Then producing this document that the community can then weigh-in on. She does want to go out to bid so they will be looking for a consultant to help with strategic planning. She would like to address the research scope of services. She feels they need three or four key things. One of those is an ad effectiveness study so that at the end of the day, when she presents to Council, she can say this is where they marketed, these are the people who hadn't considered greater Williamsburg as a place to visit, they saw our ad and they booked travel. Ms. Cimino talked to Council about her endeavors with the Newport news/Williamsburg international airport and conversations with airlines about route development.

Council thanked Ms. Cimino for her presentation and discussed with her the dates in her timeline. They also discussed the tourism funds for promotion and product. Mayor Freiling asked what does Ms. Cimino expect to be the major differences between the 2019 campaign and the 2020 campaign, as it relates to either range of advertising, saturation of the market, media channels that are chosen or all of the above. Ms. Cimino stated the focus is to drive that overnight visitation and room nights. She feels that it needs to expose people to product that they may not know exists in this area and will it be a dramatic change. She will be primarily focused on broadcast digital display advertising working with travel partners. Mayor Freiling commented on the question about Maintenance of Effort. Clearly the City is committed to additional tourism product through the Tourism Development Fund and the desire to have the balance of that Maintenance of Effort money that is no longer needed by the Chamber because of their smaller profile in the Business Council. Taking that difference in amount and putting it into a regional pot, he senses some level of agreement in partners in York County and James City County. He thinks the real value there not only in growing the tours and product and doing regional projects is that the things the City would not be able to do on its own and likewise with the Counties. It helps build a partnership and buy-in on all three jurisdictions.

C. Presentation of the 2019 General Assembly Legislative Update - Chris Shelton, City Attorney
Ms. Shelton prefaced that this is not intended to be a comprehensive overview of everything that happened in Richmond, just highlights. Things that Council either will see again because there will be ordinances or things for Council to consider and issues that touch upon the City. Ms. Shelton began with taxation. Senate Bill 1270 provides an exemption on real property for the surviving spouse of a service member with a 100% disability rating. When that spouse with 100% disability rating passes away, the spouse who remains continues to enjoy that exemption and can continue to enjoy that exemption on subsequently owned real property until the spouse remarries. Once the spouse remarries, the exemption is lost. The exemption applies only to the principal place of residence of the spouse, which is consistent with what the City Code and state code currently provides. This is not optional; this is mandatory so there will be an ordinance in July. It does transfer from residence to residence and it applies to somebody who moves into the state long after the death of their spouse, meaning it’s retroactive. House Bill 1937 amends section 58.1-3212 of the Code of Virginia to provide that a locality may exclude disability income from the income calculation used to determine whether or not a person with a disability qualifies for a tax exemption or deferral. The City does not have an exemption program; it has a deferral program. This is not mandatory, it is optional. SB1425 adds section 58.1-3715.1 regarding the taxation of food trucks. In discussions about food trucks this is one of the questions - where is BPOL paid. The City has been having food trucks pay when they register to participate as a food truck in the City. One of the things they have to do as part of the zoning application is talk to the Commissioner of the Revenue. For new businesses that are mobile food units, they are required to pay business license tax in the jurisdiction in which their vehicle is registered. If they live in James City County, buy a food truck and operate that food truck out of James City County, they pay BPOL in James City County. The exemption applies for two years after the business is started and after that two years BPOL would be paid everywhere the business is operated. It would still have to be registered in the locality that it is operating in so if a food truck in James City County were going to operate in the City of Williamsburg, they would still have to come to the Commissioner of Revenue and register. They can exempt up to three mobile vehicles. After that two years, this exemption goes away and they would pay BPOL. There will need to be an amendment to the Zoning Ordinance as right now one of the requirements in the Zoning Ordinance is that they a pay BPOL to the Commissioner of Revenue. This amendment will add language to the effect of ‘if necessary’. House Bill 2182 amends various sections of the state code. When there is surplus property owned by the state that the state is no longer interested in holding and they have decided to divest themselves of that, they are now required to notify the Chief Administrative Officer in the locality where the property is located of their plan to dispose of the surplus property. After that notice, the locality has 180 days to submit a proposal to the Department of General Services for a use of that surplus property. If there were a piece of surplus land and an Economic Development project, a proposal would be submitted to the Department of General Services. It can either be the locality or it can be an Economic Development entity. It has to be a bona fide Economic Development activity. The department reviews if it meets their criteria then the department and the locality or the Economic
Development entity negotiate to see if they can come to the conclusion of this deal. If they can then they sell the property to the locality or the EDE. If they can't then they're allowed to sell the property on the open market. It gives locality's Economic Development entities the first bite at the apple of surplus property. Senate Bill 1171 amends various provisions of Title 4.1. There is now a local special event ABC license which permits consumption of alcohol within the boundaries of a special event. For events such as Occasion for the Arts, Art on the Square, something that occurs across public property that allows beverage retail sales within the event and the alcohol has to stay within the boundaries of the event. There is a local piece to this; there's a state ABC license and a local ABC license piece. Only local government Business Improvement Districts or nonprofit organizations are allowed to apply for this special event license from the ABC Board. There will be one more change coming to that ordinance to add this provision. One of the more complicated issues is regarding proffers. Several years ago there was discussion about 15.2-2303.4 which was passed that require proffers to be reasonable. and there are reasonable proffers for impacts on-site and off-site. It allowed developers to challenge local governments when they reject a project because of an unreasonable proffer. It creates an action in Circuit Court for a challenge to a decision of the City Council regarding re-zonings. Other than advising planning staff on taking great caution and what that means with respect to proffers, the City did not stop taking proffers as a result of this. The City doesn't have large-scale residential development projects simply because there isn't that much land left in the City. Proffers have been taken over the course of the last three years; none of those proffers have been challenged. However, a lot of the bigger jurisdictions in the state decided that there was too much risk associated with taking proffers and so they simply stopped taking them. That caused a lot of consternation in the development communities because proffers are a useful tool to allow impacts to be addressed in a way that makes sense for that project. Because of the uncertainty associated with the previous legislation, proffers were not being taken any longer. Those jurisdictions have been working for several years to come up with some language to mitigate those problems. The bill that was passed this year is an attempt to do that. it adds language that clarifies that an applicant may submit written proffers. and when they do that their signature on the proffer is considered evidence that they find the proffers are reasonable. It isn't necessarily the case that those original proffers are the ones that Council eventually ends up seeing. It adds language that the failure to submit a proffer should not be the basis for the denial of any re-zoning or amendment to proffers that are submitted. There's got to be a legitimate land use issue that the re-zoning denial is based on besides the fact that the developer has not submitted proffers. This section adds language that provides that the discussion that occurs between a developer applicant and the locality is not the basis for a claim that an unreasonable proffer or amendment to proffer was required by the locality. When a developer submits a plan, they don't necessarily know what the impacts of that plan are going to be. One of the problems with the previous legislation is that having that conversation with a developer can be construed as a request for an unreasonable proffer. This removes those oral discussions as evidence that the proffer request was unreasonable. Mayor Freiling noted that some localities
did have proffers that they published that said in order to do this they must do that they must offer it willingly as part of their application or it won't be considered. It adds language that provides that actions to challenge local government action pertaining to the proffer, so a rezoning or denial of reasoning. They can bring those challenged but they have to object in writing to the governmental body regarding the proposed proper condition before the governing bodies grant or denial of the re-zoning. That basically gives written notice that some proffer that they have deemed to have been asked for and they included in their proffers where it's not reasonable. Those are the highlights; that's not an in-depth dive on proffers. Again The City does have proffers but the types of properties are pretty minimal in comparison with some of the other jurisdictions. Great care should still be taken in dealing with proffers and working with the planning staff to make sure that the process for that is in accordance with the code. House Bill 2375 section 15.2-2285 allows the local governing bodies to shorten the 100 day review period that the Planning Commission has to review an amendment to the zoning ordinance. In the City Code, Planning Commission has to take up something that's before them within 100 days. If they don't then it's deemed to be recommended for approval and it moves on to City Council. 15.2-2285 allows City Council to shorten that period of time. This bill requires the local governing body to hold at least one public hearing prior to shortening that review period. House Bill 2569 allows the locality to authorize the Zoning Administrator to issue an administrative permit for daycare centers inside a home serving between 5 -12 children; right now it's permitted with an SUP in certain zoning districts. If Council would like that to be an administrative process it will need to be put into the Zoning Ordinance. House Bill 1913 amends 15.2-2242 to allow localities to include in the Comprehensive Plan that all lots being subdivided or developed must provide for sidewalk. If the Zoning Administrator determines that a sidewalk is required for the proposed development. The Planning Commission will need to determine if they want to put that into the draft of the comprehensive plan. There was a provision code change regarding building permits and codes Section 36-105 of the state code allows local governing bodies to impose fees for new construction permits to defray the cost of the enforcement and appeals. House Bill 1966 amends that provision to require that any fees that are imposed by the locality on building permits have to be used to support the functions of the local building department. The exception to that are the fees that are imposed by the state for training programs of the Department of Housing and Community Development. That's really just an accounting change. House Bill 1874 changes cruelty to animals to a Class 6 Felony. Senate Bill 1367 provides that a locality may adopt an ordinance prohibiting dogs from running in packs excluding hunting dogs and provides for a civil penalty of not more than $100 for a violation. Streets and sidewalks Title 46.2 is the provision of the state code that pertains to motor vehicles and roads. As of January 1st of 2020 motorized skateboards and scooters which is defined as a scooter or a skateboard with an electric motor with a maximum speed of 20 miles per hour or less and weighing less than 100 pounds, are not going to be considered motorized vehicles and may be operated on sidewalks unless the City Council adopts an ordinance prohibiting the operation of those on city sidewalks. it goes on to provide operational requirements for those that are very
similar to bicycles and prohibits the devices on the interstate highway system. It also provides for a pilot program that also needs to be implemented by January 1, 2020 for shared use scooters and motorized skateboards. Staff is working on that and will have something for Council in the next several months. Mayor Freiling said this strikes him as something that could have a pretty significant impact. Right now bicycles are allowed on city sidewalks but these are different. He clarified this refers to scooters as two-wheeled vehicles with a handle and not like an electric wheelchair. Ms. Shelton confirmed that these are not personal assistive devices, they are recreational devices. Mr. Zhang asked if there will be a separate line item on the agenda to discuss this more fully at a future date. Mr. Trivette stated the intent is to bring back suggested ordinance. Mr. Zhang noted some localities have taken action to find numerous ways to enact these regulations so perhaps by the time the City deliberates its own ordinance, some of the best practices can be looked at. Mr. Trivette stated there is an advantage in that there are localities already in the Commonwealth that have adopted regulation and are implementing these programs but there’s a wealth of communities all over the country that have done this on a much larger scale, providing the opportunity to pick the best pieces of all of them to try and make an ordinance work. House Bill 1614 authorizes localities to create a local stormwater management fund for the purpose of granting funds for stormwater management and erosion on previously developed lands. There’s a program to create a fund to help offset the cost of stormwater management on previously developed lands. Senate Bill 1400 make loans for the initial position and installation of stormwater management improvements on new development projects so long as you have willing property owners. The property served and the adjacent properties that are affected by the stormwater management. House Bill 2758 Senate Bill 1339 extensive changes have been made to the foster care program. In the state it's an extremely long, very detailed provision of the state code. The Commissioner of Social Service is permitted to address problems within local departments and that can be anything from directing corrective actions to be taken by the department up to taking temporary control over the foster care services of a local social services board. If that board is failing to provide foster care services in accordance with applicable law and regulation or if any action has been taken creating a substantial risk of harm to any child under its supervision in the foster care program. It requires the state to establish a hotline to receive complaints regarding foster care services. It establishes a framework for the use of federal 4-E money. That is federal money that is used to support local foster care programs and some of that money now is to be routed to prevention services. In other words, services to try to keep children out of foster care in the first place, which could not be funded through 4-E money before. Now it can be used to pay for things like mental health treatment, substance abuse prevention and treatment for children and parents, such as in-home skills-based supports. The state, over the course of the next year or 18 months, is working on how all of this is actually going to be implemented, which services will be allowed to use federal 4-E money for qualifying service providers. This is all in compliance with a 2018 law which is the Federal Family First Prevention Services Act. One of the focuses of that is to require a really close examination of whether there are kinship placements or relative placements for
children to try to prevent them from going into foster care in the first place. There will be requirements for extensive examination of that before taking a child into foster care or in an emergency immediately after taking child into foster care. Annual re-examination of those potential placements when there is a child in foster care. It is a reworking of how localities deal with foster care services in their jurisdictions and how the state manages that. It also creates a statewide registry of foster parents as there are just not enough foster parents for the need. Senate Bill 1430 Requires that local elected officials complete training on the Conflict of Interest Act provided by the Virginia Conflict of Interest Act Advisory Board once every two years. Such training must be completed within 2 months after assuming office. For officials in office on July 1, 2019, the first such training must be completed by December 31, 2019. Senate Bill 1431 Mandates that local elected officials complete FOIA training at least once every two years. This may either be on-line training or training provided by the local government attorney. Delayed effective date to July 1, 2020. Senate Bill 1554 Provides that in addition to any penalties imposed under FOIA, if a court finds that any officer, employee or member of the public fails to provide a record because such individual altered or destroyed the record with the intent to avoid provision of FOIA, prior to the expiration of the records retention period set by the Library of Virginia, then the court may impose a civil penalty of $100 per record altered or destroyed. In addition, if the court finds that a member of a public body votes to certify a closed session and such certification was not in accordance with Sec. 2.2-3712, the court may impose a civil penalty on the public body of up to $1,000. Mitigating factors include reliance on court opinion, AG or FOIA Council opinions. House Bill 1772 Provides that any officer, employee or member of a public body alleged to have willfully violated FOIA who acted in good faith in reliance on an opinion of the FOIA council, may introduce such advisory opinion as evidence that the violation was not willful. One bill was introduced, but did not pass, which applied to counties using the urban executive form of government, limiting certain zoning provisions pertaining to the number of nights of rental and number of units rented. There was some language to the effect of if someone has an AirBnb, that can’t be the basis of denying them the right to do another AirBnb. It didn’t get out of committee but again it's along the lines that localities are adopting short term rental ordinances and somebody's ox gets gored and we get a bill. It will be monitored obviously because now the City falls into the category of jurisdictions that have adopted a bill.

5. CITY COUNCIL COMMUNICATIONS
None

6. SCHEDULE OF MEETINGS
Mr. Trivette highlighted the Red Cross Mayor's Cup Blood Drive on Thursday, June 13th at the Community Building from 10:00am to 3:00pm. Hopefully there will be a lot of people to come out because the City is the defending champion in this regional competition for quantity and that aside, it's just a good thing to do. City Council meeting on the same day followed by a called meeting of the Williamsburg Redevelopment and Housing Authority. The Tourism Development Grant Review Committee will be
reviewing the Phase Two applicant’s presentations on June the 28th and July the 4th, the City will be closed in observance of Independence Day.

7. **OPEN FORUM**
   Mayor Freiling opened the Open Forum portion of the meeting for comments. As there were no speakers, the Open Forum was closed.

8. **CLOSED SESSION**
   A. At 5:34 p.m., City Council went into Closed Session pursuant to Section 2.2-3711 of the Code of Virginia for the purpose of discussing one personnel matter per subparagraph 1, concerning appointments to boards and commissions.

   Moved by Pons, seconded by Zhang, Enter Closed Session
   Carried 5-0-0 by a roll call vote:

   Ayes: Freiling, Pons, Ramsey, Zhang, and Maslin

9. **CERTIFICATION OF CLOSED SESSION**
   A. At 6:11 p.m. Council returned to Open Session.

   WHEREAS, the City Council of the City of Williamsburg has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

   WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the City Council that such meeting was conducted in conformity with Virginia Law.

   NOW, THEREFORE, BE IT RESOLVED that the City Council of Williamsburg hereby certifies that, to the best of each member’s knowledge, (I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed session to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the City Council of the City of Williamsburg.

   Moved by Pons, seconded by Ramsey, Certify Closed Session
   Carried 5-0-0 by a roll call vote:

   Ayes: Freiling, Pons, Ramsey, Zhang, and Maslin

10. **ADJOURNMENT**
    A. At 6:13 p.m., there being no additional business before Council, the City Council meeting of June 10, 2019 was adjourned.

    Moved by Pons, seconded by Zhang, Adjourn
    Carried 5-0-0 by a roll call vote:
Ayes: Freiling, Pons, Ramsey, Zhang, and Maslin

Approved: July 11, 2019

Paul T. Freiling, Mayor

Debi Burcham, Clerk of Council

*The preceding minutes are a summary of the meeting and not verbatim. For a more detailed review of the meeting, you may access the digital record by visiting www.williamsburgva.gov*