

**COUNCIL CHAMBER - November 18, 2019**

**ROLL CALL**

The Charlottesville City Council met in regular session on this date with the following members present: Mayor Nikuyah Walker, Vice Mayor Heather Hill, Dr. Wes Bellamy, Ms. Kathy Galvin and Mr. Mike Signer.

**ANNOUNCEMENTS / PROCLAMATIONS**

**CONSENT AGENDA\***

Clerk of Council Kyna Thomas read the following Consent Agenda items into the record:

**a. MINUTES: September 19, September 30, and October 7, 2019 Special meetings**

Minutes - September 16, 2019 CRB worksession

Minutes - September 30, 2019 SADM Worksession

Minutes - October 7, 2019 special meeting

**b. APPROPRIATION: Virginia Behavioral Health Docket Grant - \$45,000 (2nd reading)**

Agenda summary; appropriation

**APPROPRIATION**

**Charlottesville - Albemarle Therapeutic Docket Grant Award - \$45,000**

**WHEREAS**, the Supreme Court of Virginia awarded the Supreme Court of Virginia Behavioral Health Docket Grant in the amount of \$45,000 for the Charlottesville - Albemarle Therapeutic Docket in order to fund salaries, benefits, and operating expenses; and

**WHEREAS**, the City of Charlottesville serves as the fiscal agent for this grant program; and

**WHEREAS**, the City of Charlottesville and Albemarle County both have dedicated local matches to this grant, totaling \$110,000; and

**WHEREAS**, the grant award covers the period July 1, 2019 through June 30, 2020.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$45,000, received as a grant from the Supreme Court of Virginia, is hereby appropriated in the following manner:

**Revenues**

\$45,000 Fund: Internal Order: #1900341 G/L Account: 430110 (State Grant)

**Expenditures**

\$45,000 Fund: Internal Order: #1900341 G/L Account: 530670

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$45,000 from the Supreme Court of Virginia.

- c. **APPROPRIATION: Virginia Outdoors Foundation Grant - Land Acquisition - \$50,000 (carried)**

Agenda summary; appropriation; letter from Clerk of Court

- d. **APPROPRIATION: Virginia Department of Education Special Nutrition Program Child and Adult Care Food Program - \$35,000 (carried)**

Agenda summary; appropriation

- e. **APPROPRIATION: Virginia Department of Social Services Employment Advancement for Temporary Aid to Needy Families Participants Grant - \$130,259.83 (carried)**

Agenda summary; appropriation; VDSS BEN-113-03 Sub-Award Agreement

- f. **APPROPRIATION: Fire apparatus payment reimbursement \$642,609 (carried)**

Agenda summary; appropriation

- g. **RESOLUTION: Lua Project - Day of the Dead funding request - \$500**

Agenda summary; resolution; application

**RESOLUTION**

**City Funding for 8<sup>th</sup> Annual Day of the Dead Celebration on November 2, 2019  
\$500**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$500 is hereby paid from currently appropriated funds in the Council Strategic Initiatives account in the General Fund to the Lua Project (through Fractured Atlas which is the fiscal agent) in support of the 8<sup>th</sup> Annual Day of the Dead Celebration taking place on November 2, 2019.

\$500                      Fund: 105                      Cost Center: 10110010000

- h. RESOLUTION: Referring New Hill Development Corporation's Starr Hill Neighborhood Community Vision and Small Area Plan to the Planning Commission for consideration of amending the Charlottesville Comprehensive Plan**

Agenda summary; resolution

**RESOLUTION TO CONSIDER AMENDING THE CHARLOTTESVILLE COMPREHENSIVE PLAN TO INCLUDE**

**WHEREAS**, the Charlottesville City Council received the New Hill Development Corporation's Starr Hill Neighborhood Community Vision and Small Area Plan (hereinafter Small Area Plan) on October 31, 2019; and

**WHEREAS**, the Charlottesville City Council received a presentation about the Small Area Plan at its November 4, 2019 regular meeting; and

**WHEREAS**, Councilor Galvin requested the Charlottesville City Attorney to prepare a resolution referring the Small Area Plan to the Charlottesville Planning Commission to consider its incorporation into the Charlottesville Comprehensive Plan; and

**WHEREAS**, Charlottesville City Code Section 34-27 authorizes the Charlottesville City Council to refer proposed written Comprehensive Plan amendments to the Charlottesville Planning Commission.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Charlottesville, Virginia that the Small Area Plan is referred to the Charlottesville Planning Commission for its recommendation on whether to incorporate the Small Area Plan in the Charlottesville Comprehensive Plan.

**BE IT FURTHER RESOLVED**, by the Council of the City of Charlottesville, Virginia that the Planning Commission shall conduct a public hearing on the incorporation of the Small Area Plan into the Comprehensive Plan within one hundred and twenty days of this Resolution's adoption.

- i. REPORT: Charlottesville-Albemarle Society for the Prevention of Cruelty to Animals (SPCA) report**

SPCA cover letter and annual report

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

Dr. Richardson responded to a comment from Mr. Rory Stolzenberg regarding the cost of a tree study; and about cameras placed by the City around town. Dr. Bellamy asked for a report.

## **COMMUNITY MATTERS**

Mr. Bruce Eades spoke about access to the Dogwood Vietnam Veterans Memorial and thanked Council for appointing the working group.

Mr. Jim Shisler, President Emeritus and Curator for the Dogwood Vietnam Veterans Memorial, spoke to request reasonable access to the Memorial. He expressed concerns of the Foundation that omissions and inclusions were made in the report being presented at this meeting that should be addressed.

Mr. Jim Camblos spoke about access to the Dogwood Vietnam Veterans Memorial. He advised that the city should be proud of the Memorial, and that everyone should be able to get to the site. He advised that the pedestrian bridge would be an easy solution for problems accessing the Memorial.

Mr. Peter Krebs, Community Outreach Coordinator for the Piedmont Environmental Council, spoke about infrastructure for walking and biking.

Ms. Myra Anderson shared a Daily Progress Letter to the Editor that she wrote about mental health stigmas. The letter was published on Friday, November 15, 2019.

Mr. Tom Vandever yielded his time to Mr. Jay Levine, a member of the working group on the Dogwood Vietnam Veterans Memorial, who spoke about the process for creating solutions for access and parking for the Memorial.

Mr. Julian Taliaferro spoke as a Vietnam veteran and as a City resident, about access to the Dogwood Vietnam Veterans Memorial.

Ms. Tanesha Hudson thanked the City for putting the baby-changing stations in the bathrooms outside of Council Chamber. She asked on behalf of the People's Coalition when the Adult Disproportionate Minority Contact report would be ready. She spoke in support of improving access to the Dogwood Vietnam Veterans Memorial.

Mr. William Atwood spoke about a comprehensive zoning plan. He advised that there is a category needed between R-2 and R-3. He advised that proffers need a site plan.

Ms. Jennifer Sessions spoke about pedestrian and bicycle safety, and referenced Agenda Item #8 regarding scooters. She shared her observations of unsafe scooter traffic. She also thanked Council for the vote regarding the Lewis, Clark and Sacajawea memorial.

Ms. Rachel Hightman spoke as a cyclist and representative of Student Council at the University of Virginia, in support of safer pedestrian and bicycle infrastructure. She advised that she had been hit twice this year while riding a bicycle, and her sister was killed as a cyclist in New York. She spoke about unsafe scooter usage, and the need to regulate the users.

Ms. Walker closed public comment.

Ms. Galvin thanked veterans for their service and acknowledged Ms. Heitman's loss.

### **REPORT: Dogwood Vietnam Veterans Memorial (DVVM) alternatives report**

#### Agenda summary; Working Group Solutions Spreadsheet and comments; Parking Graphic - Existing and Proposed

Ms. Jeanette Janiczek, Urban Construction Initiative Program Manager, gave the presentation, sharing background information. The initial concerns with the Memorial location were 1) keeping the location, as this was the first memorial to Vietnam, erected during the conflict, and 2) visibility, in particular from the 250 Bypass. She shared that a request for improved access was received in 2019. She shared challenges with traffic, topography, bordering other structures, and parking.

Mr. Brennen Duncan, City Traffic Engineer, advised that short-term option requests from the DVVM working group have been addressed, and they are now working on options for long-term solutions. No mid-term options were immediately acceptable by the group. The most viable solution agreed upon by the group was constructing a parking lot with bridge access across John Warner Parkway.

Councilors asked questions about access to the parking lot, and the height of the Memorial. It was discussed that the Memorial was raised. Mr. Bruce Eades shared that it is a myth that the Memorial has been raised. He advised that Parks and Recreation has taken great care of the Memorial, where the veterans have raised funds, providing sod, dogwood trees, fertilizer and seed for upkeep of the Memorial.

Mr. Tom Vandever suggested that the access to the DVVM has been out of ADA compliance. He advised that immediate action is needed. City staff shared findings of swelling on the walking path, which are proposed to be addressed. Ms. Janiczek advised that staff's interpretation of ADA compliance is that 5% slope or less must be attained to either be a trail or to be a pedestrian circulation path.

Mr. Dave Norris, who served on City Council at the time that the DVVM was constructed, urged Council to enact the proposal submitted by the DVVM working group. He advised that the approval of the initial Memorial did not envision veterans, seniors, and people in wheelchairs having to travel across unsafe conditions to navigate access to the Memorial. The Master Plan and skate park had not been developed at the time.

Mr. Eades gave background of the original site plan process, and that the working group plan went unnoticed.

Mr. Duncan advised that staff disagrees with Mr. Vandever's assessment of a non-compliant trail. The Code that he was referencing was for buildings and not a park or recreational area. Staff asked for direction from Council.

Dr. Richardson commented about the Capital Improvement budget and stated that the budget is at its limit, but the short-term fix could be considered in the near future.

Ms. Janiczek, shared input about alternative funding.

Ms. Walker asked about opening the special access consideration for more than three days in the year, and advised the City Manager that the DVVM should be placed on the CIP unfunded projects list.

Ms. Galvin advised that she was on Council at the time of the approval of the East McIntire Plan, and this access issue did not come up. She discussed timing of any related projects and the need to make improvements in the short-term and incorporate discussions into the CIP process.

Ms. Walker advised that a workgroup will be formed to discuss this project.

Mr. Blair advised that in addition to the work group and worksession, staff could come back with an appropriation request for the \$20,000 short-term solution.

Councilors and Dr. Richardson talked about the need for regular worksession.

Ms. Walker recessed the meeting at 8:22 p.m.

The meeting reconvened at 8:42 p.m.

### **REPORT: Social Services Advisory Board annual report**

#### Agenda summary; annual report; PowerPoint presentation

Ms. Christine Gough, Chair of the Social Services Advisory Board, presented the annual report. She recognized Councilor Signer's expertise, knowledge and support as a member of the Board for the last two years.

Ms. Diane Kuknyo, Director of Social Services, advised that the Charlottesville Department of Social Services (DSS) has been asked for best practices because a high rate of placement of foster children with kin. Ms. Kuknyo emphasized the efforts for cultural sensitivity training within DSS. She answered further questions from Council about foster placement, inadequate housing and neglect issues, intake process, Medicaid, staffing levels, poverty level and the VIEW program, and reporting of race.

Dr. Bellamy asked that staffing levels for Social Services be prioritized in the current budget cycle. Ms. Kuknyo added that DSS is able to leverage State funds.

**REPORT: Charlottesville Redevelopment and Housing Authority (CRHA) update**Agenda memo

Ms. Betsy Roettger, Chair of the CRHA Board introduced Grant Duffield, out-going Executive Director, who shared the annual report. Mr. Duffield introduced Mr. Cornelius Griggs, General Contractor for the Crescent Halls and First South Street project, who gave an update on project plans and communication with the Development Team. He also emphasized the continuous logistical work with active senior residents continuing to live in areas undergoing major renovation. He announced the projected completion date of April 2021 for both projects.

Mr. Duffield advised that CRHA has partnered with CAHEC (Community Affordable Housing Equity Corporation) and should have an initial draft of a Fiscal Sustainability Plan within the week. He shared that Kathleen Glenn Matthews, Dave Norris, and Claudette Grant would take on leadership roles for CRHA and that Ms. Matthews would be the primary point person for the City.

Mr. Dave Norris shared an update on the Crossings II project and further consideration for fiscal sustainability. Dr. Bellamy assured Council that after the November 25 meeting, the CRHA would submit a report to Council.

Ms. Galvin asked questions about bonding capacity for CRHA and the cost for a study. Mr. Duffield advised that a future step could be to engage a firm to do a study to determine bonding capacity.

**REPORT: TING internet update for public housing**Agenda memo

Dr. Bellamy introduced Ms. Monica Webb, with TING, who presented a report on the CRHA and TING Digital Inclusion Project. She introduced Kara Shandison, who is the local representative for TING.

Ms. Webb shared background on TING and the expansion of their fiber optic network. She advised that TING would provide an opportunity for residents to fully participate in civic life at a greatly reduced rate. She shared a project management timeline.

Ms. Walker asked how redevelopment would impact service. Ms. Webb advised that TING would work with developers at that time. She advised that the contract is for existing sites and existing redevelopment. In response to a question from Ms. Walker, Ms. Webb advised that Charlottesville is the inaugural city for this type of high speed fiber optic work.

Dr. Bellamy advised that this is a way to close the digital divide. There are other cities that have built their own fiber optic network and TING has provided services over it. Ms. Webb advised that it is risky for a municipality to overbuild its fiber optic infrastructure.

## **REPORT: The Mapping Cville project**

### Agenda memo

Mr. Jordy Yager, resident and Fellow at the Jefferson African American Heritage Center, presented his research from the Mapping Cville Project. He shared information regarding how racial disparities show up in every juncture in life experiences, life outcomes, health, infant mortality, education, median income and income mobility and other areas of economy. He shared historical information from Charlottesville of how environment has been a predictor of success. He shared documents that show racial covenants within the City of Charlottesville – showing separation of residential housing by race. Mr. Yager referenced a similar project from Washington, DC, entitled Mapping Prejudice, and a project in Minneapolis.

He shared information about home valuation and health outcomes as related to neighborhood historic data, and how infrastructure has affected these neighborhoods over the years. He also advised that real estate is the number one way that wealth is transferred in America and disparities in home values among the races have impacted the ways that some homes could be leveraged to pay for education or as a source of income while others could not.

Through the Isabella Givens Local History Center, more work is being done to research and share this information with the school systems through interactive exhibition.

Mr. Yager advised of the need for public help to input data to map thousands of racially restrictive covenants. He advised of a series of twelve brief training sessions November 23, and that computers would be open at the African American Heritage Center.

Ms. Galvin asked about mapping of accessory dwelling units. Mr. Yager advised that if the language is in the deeds, they could be mapped.

Ms. Andrea Douglas, Executive Director of the African American Heritage Center, advised that the project cost for the exhibit would be \$90,000 - \$100,000, with a bulk of the cost going toward the interfaces. She advised of an upcoming training for teachers to be able to use this information in the classroom.

Ms. Galvin advised of the need to make this presentation to the Planning Commission with consultants in the room.

## **REPORT: Health Department update (oral presentation)**

### Annual report

Dr. Denise Bonds, Thomas Jefferson Health District Director, handed out the annual report and made a presentation for the fiscal year ending June 30, 2019. She advised of three areas where the Health Department has no authority to act, but the demand is evident:



1. Nuisance complaints in rental homes (mold, rodent infestations, insect infestations, etc.)
2. Tattoo parlors
3. Swimming pools (unless permitted for another use)

Dr. Bellamy mentioned the need to enact a free needle exchange program. Ms. Bonds indicated that Charlottesville is not a qualifying locality.

On motion by Ms. Hill, seconded by Dr. Bellamy, Council by the following vote extended the meeting to 1:00 a.m.: 4-1 (Ayes: Bellamy, Galvin, Hill, Walker. Noes: Signer)

**ORDINANCE: Bicycle & E-Scooter Sharing System (aka "Dockless Mobility") Ordinance and Permit Program (1st of 2 readings)**

Agenda memo; proposed Ordinances; Council presentation from 6/17/19

Ms. Amanda Poncy, Bicycle and Pedestrian Coordinator, provided highlights of data for the Dockless Mobility program, implications for State legislation which will be effective January 1, 2020, and the proposed City Ordinance for e-scooter operation. Mr. Jason Ness helped to answer Council questions.

Staff verified that the intention is for the program to be self-sustaining. Dr. Richardson added information about future staffing. Discussion ensued about a compromise for e-scooter use on sidewalks.

Council agreed 4-1 (Walker against) to move the item, as presented, to the consent agenda for December 2, 2019.

**RESOLUTION\*/ ORDINANCE: 209 Maury Avenue:**

**a. RESOLUTION: Comprehensive Plan - Future Land Use Amendment**

Agenda summary; resolution; signed Planning Commission resolution; link to staff report from 7/9/19

Mr. Matt Alfele, City Planner, presented the resolution.

Ms. Hill offered thoughts on adding density to this particular area.

Ms. Galvin shared concerns about making zoning changes without updating the Comprehensive Plan.

Mr. Alfele explained that the City Code allows someone other than the Planning Commission to initiate a Comprehensive Plan amendment during certain times of the year, while the Planning Commission can initiate a zoning amendment at any time. He advised that the rezoning does not have to be in line with the Comprehensive Plan, but it is ideal if it does match.

On motion by Ms. Hill, seconded by Mr. Signer, Council APPROVED the resolution as presented: 4-1 (Ayes: Bellamy, Galvin, Hill, Signer. Noes: Walker).

**RESOLUTION**  
**APPROVING AN AMENDMENT TO THE COMPREHENSIVE PLAN FOR THE CITY OF CHARLOTTESVILLE (2013) TO CHANGE THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN LAND FRONTING ON MAURY AVENUE AND STADIUM ROAD, AS REQUESTED BY COMPREHENSIVE PLAN AMENDMENT APPLICATION CP19-00001**

WHEREAS, the Charlottesville Planning Commission initiated an amendment to the City’s Comprehensive Plan, its Future Land Use Map, to evaluate approximately 1.6 acres of land identified on City Tax Map (2019) as Parcels 18, 18.1, 18.2, 184, 185, and TMP 186 (collectively, “Subject Property”); AND

WHEREAS, the purpose of the initiated amendment is to evaluate whether the Subject Property is suitable for the type of higher-intensity land use, and increased residential density of development, referred to within the City of Charlottesville Comprehensive Plan (2013) as High Density Residential development (suitable for residential development at more than 15 dwelling units per acre) (“LUP Amendment”); and

WHEREAS, the proposed LUP Amendment was advertised and publicly noticed as required by law; and

WHEREAS, following a joint public hearing conducted by the Planning Commission and City Council on October 8, 2019, the Planning Commission on October 8, 2019 approved a resolution recommending approval of the LUP Amendment within the area of the Subject Property and certified the amendment to the City Council for its consideration; and

NOW THEREFORE, BE IT RESOLVED by the Charlottesville City Council that the LUP Amendment recommended by the City’s Planning Commission for the area within the Subject Property is hereby approved and adopted as an Amendment to the Comprehensive Plan for the City of Charlottesville (2013), and the Zoning Administrator is hereby directed to update the Comprehensive Plan Land Use Map to reflect this amendment.

**b. ORDINANCE: 209 Maury Avenue rezoning request (carried)**

Agenda summary; signed proffer statement; rezoning ordinance; link to staff report from 10/8/19

Mr. Matt Alfele, Neighborhood Planner, presented the Ordinance.

Council agreed 4-1 (Walker against) to move the item forward to the December 2, 2019 consent agenda.

Ms. Galvin commented on proposal improvements from the previously presented plan.

**RESOLUTION\*: Allocation of Food Equity Initiative funds for FY 2020 - \$155,000**

Agenda summary; resolution; FEI Year 2 Work Plan; FEI Budget Worksheet

Ms. Shantell Bingham came forward to answer questions.

Dr. Richardson asked about the funds of \$155,000 and whether this is a one-time ask or an annual request. Ms. Hill asked about other funding sources and whether they are asking to fold this program into the City budget. Ms. Jeanette Abi-Nader advised that the request is coming before the City because the City initially requested them to look into food equity.

On motion by Ms. Galvin, seconded by Ms. Hill, Council APPROVED the resolution: 5-0 (Ayes: Bellamy, Galvin, Hill, Signer, Walker. Noes: none).

**RESOLUTION**  
**Allocation of Food Equity Initiative Funding for FY 2020**  
**\$155,000**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$155,000 is hereby paid from currently appropriated funds in the Council Strategic Initiatives account in the General Fund in support of the Food Equity Initiative.

\$155,000

Fund: 105

Cost Center: 10110010000

**OTHER BUSINESS**

None

**MATTERS BY THE PUBLIC**

Mr. Tony Wasch wished everyone a happy Thanksgiving.

The meeting adjourned at 12:14 a.m.