

CITY COUNCIL REGULAR MEETING
Tuesday, February 18, 2020
Council Chamber
6:30 p.m.

The Charlottesville City Council met in regular session on February 18, 2020, with the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, Ms. Heather Hill, Mr. Michael Payne, and Mr. Lloyd Snook.

Ms. Walker called the meeting to order at 6:48 p.m. and advised that the closed meeting went longer than expected.

Ms. Walker announced the March 6th application deadline for the next round of boards and commissions appointments, and she encouraged everyone to participate in honoring Black History Month.

Ms. Magill announced Liberation and Freedom events coordinated by the Jefferson School African American Heritage Center the week of March 1-8.

PROCLAMATIONS:

- 1) Ms. Hill read the League of Women Voters Centennial proclamation. Ms. Pat Cochran and members of the League of Women Voters of the Greater Charlottesville Area were present to accept. Ms. Cochran made remarks.
- 2) Ms. Walker read the proclamation for Same Page 2020 – Brown Girl Dreaming, and presented it to Ms. Krista Ferrell, who shared copies of the book with City Council and the City Manager.

Ms. Walker announced that a request for Freedom and Liberation Day would be considered during Other Business.

BOARD APPOINTMENTS:

On motion by Ms. Hill, seconded by Ms. Magill, Council by the following vote APPOINTED the following individuals to the Police Civilian Review Board: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: None):

- Gwendolyn Allen
- Nancy Carpenter
- Stuart Evans
- Diedre Gilmore
- Dorenda Johnson
- William Mendez
- James Watson

One seat remains vacant pending appointment of a non-voting member with law enforcement experience.

CONSENT AGENDA:

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

- a. MINUTES: January 6, 2020 Regular meeting; January 21, 2020 Special and Regular meetings; January 23, 2020 Council Budget Retreat; January 24, 2020 Council Retreat
- b. APPROPRIATION: Edward Byrne Memorial Justice Assistance Grant (JAG) Program Fiscal Year 2019 - \$25,072 (1st of 2 readings)
- c. APPROPRIATION: Byrne/JAG – Youth Engagement Programs Grant- \$99,291 (1st of 2 readings)
- d. RESOLUTION: Support for South 1st Street Phase 2 Redevelopment (1 reading)

**RESOLUTION
Financial Resolution Supporting South 1st Street
Parcel Number: 260115000**

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Charlottesville, Virginia hereby commits up to \$3,000,000 in the form of grants for the redevelopment of South 1st Street Phase 2. The commitment of up to \$3,000,000 will help to subsidize this project which in turn will create approximately 113 new or replacement affordable housing units in the City of Charlottesville. This commitment is currently programmed into the City of Charlottesville’s Capital Improvement Program over a two-year period beginning on July 1, 2020 and concluding on June 30, 2022. This commitment will be made to Charlottesville Redevelopment and Housing Authority.

- e. RESOLUTION: Adoption of Council meeting rules and procedures as amended (1 reading)

**RESOLUTION APPROVING AMENDMENTS
TO THE CHARLOTTESVILLE CITY COUNCIL’S MEETING RULES AND
PROCEDURES**

WHEREAS, the Charlottesville City Council adopted Meeting Rules and Procedures on February 16, 2016; and

WHEREAS, Section 12 of the Charlottesville City Charter permits the Charlottesville City Council to adopt rules for its internal governance; and

WHEREAS, the Charlottesville City Council wishes to amend its Meeting Rules and Procedures.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that it hereby adopts the amendments to its Meeting Rules and Procedures as presented.

- f. RESOLUTION: Commonwealth’s Attorney Summer Law Clerk – Transfer of Funds \$12,000 (1 reading)

RESOLUTION
Commonwealth’s Attorney Summer Law Clerk – Transfer of Funds
\$12,000

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that funding from the City Council Strategic Initiatives account is transferred to the Commonwealth Attorney’s budget for the summer law clerk internship position in the following manner:

Transfer From:

\$12,000 Fund: 105 Cost Center: 1011001000 G/L Account: 599999

Transfer To:

\$12,000 Fund: 105 Cost Center: 1401001000 G/L Account: 519999

- g. RESOLUTION: Refund of Tax Payment to Transient Occupancy Tax Taxpayer - \$164,618.53 (1 reading)

RESOLUTION
AUTHORIZING REFUND TO TRANSIENT OCCUPANCY TAX FILER OF
TRANSIENT OCCUPANCY TAX PAID FOR 2017-2019
\$164,618.53

WHEREAS, the Commissioner of the Revenue has determined that a transient occupancy tax payer filed amended returns; and

WHEREAS, the transient occupancy taxes for calendar years 2017-2019 were paid on time and as filed; and

WHEREAS, the Commissioner of the Revenue has certified that a refund of taxes paid and interest is due in the amount of \$164,618.53; and

WHEREAS, City Code Section 30-6(b) requires City Council approval for any tax refund exceeding \$2,500.00;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the City Council hereby authorizes the City Treasurer to issue a refund of \$164,618.53 to the transient occupancy taxpayer.

- h. **ORDINANCE:** Proposed Amendment to City Code Section 15-435 (b) – vehicle immobilization rates (1st of 2 readings)

This item was pulled at the request of Ms. Walker for a separate vote.

Ms. Walker opened the floor for public comment on the Consent Agenda. There were no speakers.

On motion by Ms. Hill, seconded by Ms. Magill, Council by the following vote **APPROVED** the Consent Agenda, pulling Item “h” for a separate vote: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: None).

On motion by Ms. Hill, seconded by Ms. Magill, Council by the following vote **APPROVED** Item “h”: 4-1 (Ayes: Hill, Magill, Payne, Snook; Noes: Walker).

CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)

Dr. Richardson shared updates for the following items:

1. Regarding a concern about lack of communication surrounding waterline replacement, he advised that the plan of action is to place door hangers when proposing water construction;
2. Regarding the crosswalk at Main St at 10th and Roosevelt Brown, the Engineer inspected the area and found it to be in compliance.
3. Regarding Oakwood Cemetery drainage, work is ongoing to identify solutions.

COMMUNITY MATTERS

Mr. William Atwood spoke about affordable housing to try to get the public sector involved. He shared a handout.

Mr. Avery Chenoweth, County resident, spoke on behalf of an individual wishing to purchase the local Confederate statues and remove them from the City of Charlottesville public space. He asked to arrange a phone call.

Ms. Tanesha Hudson spoke about equity and the need to focus on Parks and Recreation, specifically about AAU (Amateur Athletic Union) teams having to rent space. She asked Council to consider who has access to these spaces most. She also spoke about the slave auction block and the need to share a new narrative about race and honor a more full historic picture.

Mr. Greg Wright, President of the Charlottesville Professional Firefighters Union, shared concerns about staffing to cover calls for an increasingly stressed Emergency Management System transport system. He requested funding for nine Fire Department positions.

Ms. Rosia Parker, City resident, spoke about a criminal case involving Mr. Cyrus Tyree as the victim. She spoke about the slave auction plaque and her previous requests to City Council. She spoke about the City's use of cameras near certain neighborhoods, and the concern of being over-policed. She thanked Council for a proposed new park.

- Ms. Walker responded with information about a Memorandum of Understanding for the Charlottesville Redevelopment and Housing Authority (CRHA).
- Mr. Payne asked a general question about the use of cameras in law enforcement.

Mr. Don Gathers asked Council's stance on the Disproportionate Minority Contact report. He spoke in support of the firefighter request for personnel. He supported Ms. Parker's request for information about camera use. He also highlighted the Liberation and Freedom Week activities. He spoke about the Blue Ribbon Commission report to raise a meaningful monument for the slave auction block.

- Ms. Walker advised of a final meeting in April to discuss the Disproportionate Minority Contact report.

Ms. Walker closed public comment.

2. RESOLUTION*: Sunrise Planned Unit Development (VHDA application by property owner)

City Attorney John Blair presented the request. He answered Council questions about income levels, the potential for building, and affiliation with Habitat for Humanity.

On motion by Ms. Hill, seconded by Mr. Snook, Council by the following vote APPROVED the resolution: 4-1 (Ayes: Hill, Magill, Payne, Snook; Noes: Walker).

Ms. Walker expressed concerns about this item not going through the Planning Commission. Mr. Blair confirmed that this resolution is of financial nature only and would not

be required to go through the Planning Commission. Ms. Walker was also concerned about the project not meeting affordable housing needs.

RESOLUTION

WHEREAS, the City Council of the City of Charlottesville desires to make the determination required by Section 36-55.30:2(B) of the Code of Virginia, 1950, as amended, in order for the Virginia Housing Development Authority to finance the economically mixed housing development project proposed by Sunrise Cville LLC within the Sunrise Planned Unit Development in Charlottesville, Virginia (the “Project”),

NOW, THEREFORE, BE IT RESOLVED THAT the Charlottesville City Council hereby finds and determines that:

(1) The ability to provide residential housing and supporting facilities that serve persons or families of lower or moderate income will be enhanced if a portion of the units within the Project are occupied or held available for occupancy by persons and families who are not of low and moderate income; and

(2) Private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in the surrounding area of the Project and will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in the area.

3. REPORT: Trolley pilot study

Mr. Garland Williams, Director of Charlottesville Area Transits, presented the report regarding the trolley pilot detour study which started on October 6, 2019. He advised that the trolley is not the proper solution to a permanent route for serving Midway Manor. He advised of leaving the trolley on the route temporarily while working with a consultant to find a permanent solution, with a proposal potentially being presented May 12, 2020.

Mr. Williams answered questions from Councilors about parking, effects of construction on ridership, and specific data points.

The meeting recessed at 7:46 p.m.

The meeting reconvened at 8:08 p.m.

4. REPORT: United Way oral presentation

Ms. Ravi Respeto, United Way of Greater Charlottesville President, presented the report highlighting the organization’s vision and mission to address issues of financial stability, school readiness, and a connected community.

5. REPORT: Office of the City Assessor overview

City Assessor Jeffrey Davis presented a report about the real estate appraisal process. He shared information about Board of Equalization training, which is part of the State judicial system, and advised that the Code of Virginia requires properties to be appraised annually at 100% of fair market value. He indicated that 15,606 parcels were evaluated this past year, including 51 residential neighborhoods and 21 commercial neighborhoods for assessment purposes.

Mr. Davis shared information about steps in the appraisal appeal process and advised that appraisal work follows the market and does not set the market. He advised that there are approximately 150 appeals per year, with adjustments being made on approximately 40% of those properties, as appraisals are generally based on grouping of neighborhoods.

6. REPORT: Office of Human Rights/Human Rights Commission report

Ms. Shantell Bingham presented the Human Rights Commission report.

Mr. Todd Neimeier presented the Office of Human Rights report and shared a handout with data details.

Ms. Charlene Green expressed the following needs: 1) sufficient staffing to do quality work, 2) the City to be cognizant of where and how the City is present during conversations about equity, 3) to not forget the work that has been done and positive impacts through the years, and the connections among those engagements.

At the request of Ms. Bingham, Council discussed designating a worksession to discuss the future of the Human Rights Commission and Office of Human Rights.

OTHER BUSINESS

- 1) Ms. Hill spoke about the Court Square Marker Subcommittee and shared information about the Historic Resources Committee (HRC) recommendation to place a temporary marker where the Slave Auction Block marker had been removed. A letter was emailed to Councilors earlier in the day. The temporary marker would be in place for a couple of years until a more permanent solution is determined. Councilors agreed that the HRC subcommittee could go forward with researching proposals for a temporary marker, including the language to be used.
- 2) Ms. Walker introduced a request for funding of \$3,425 from the Jefferson School African American Heritage Center for its Liberation and Freedom Week activities, supplementing funding already received from other entities. A decision would need to be made at this Council meeting because of the timing of activities.

Ms. Andrea Douglas came forward to share information about the week-long schedule of events.

On motion by Ms. Magill, seconded by Mr. Snook, Council by the following vote APPROVED the resolution: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none).

**RESOLUTION ALLOCATING \$3,425
FROM THE CITY COUNCIL STRATEGIC INITIATIVES FUND
TO JEFFERSON SCHOOL AFRICAN AMERICAN HERITAGE CENTER
IN FISCAL YEAR 2020**

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$3,425.00 is hereby paid from currently appropriated funds in the Council Strategic Initiatives account in the General Fund in support of the Jefferson School African American Heritage Center's Liberation and Freedom Day programming from March 1 to March 8, 2020.

\$3,425

Fund: 105

Cost Center: 1011001000

- 3) Ms. Hill shared that there would be no Strategic Planning Retreat February 27-28. Ms. Walker advised that because of scheduling conflicts, she is considering dates in May.
- 4) Ms. Hill asked about an agenda for the Land Use worksession scheduled for February 20. Mr. Blair shared information about the proposed agenda.

MATTERS BY THE PUBLIC

Ms. Walker opened the floor for public comment. With no one coming forward to speak, the meeting adjourned at 9:46 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council