

CITY COUNCIL REGULAR MEETING
Monday, March 2, 2020
Council Chamber
6:30 p.m.

The Charlottesville City Council met in regular session on March 2, 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 6:31 p.m.

On motion by Hill, seconded by Snook, the meeting agenda was approved unanimously.

ANNOUNCEMENTS:

Ms. Hill reminded everyone to vote in the Democratic Presidential Primary on March 3.

PROCLAMATIONS:

Ms. Hill read a proclamation designating April 1, 2020, as Census Day.

CONSENT AGENDA:

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

- a. MINUTES: February 3 Special and Regular meetings, February 6 Budget Worksession, February 11 Special meeting, February 12 meeting with CADRe, February 18 Special and Regular meetings, February 20 Worksession
- b. APPROPRIATION: Edward Byrne Memorial Justice Assistance Grant (JAG) Program Fiscal Year 2019 - \$25,072 (2nd reading)

APPROPRIATION

2019 Edward Byrne Memorial Justice Assistance Grant (JAG) Grant # 2019-DJ-BX-0775
\$25,072

WHEREAS, the City of Charlottesville, through the Police Department, has received the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$25,072 to be used for approved law enforcement equipment.

WHEREAS, the grant award covers the period from period October 1, 2018 through September 30, 2022;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$25,072, received from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance, is hereby appropriated in the following manner:

Revenue

\$ 25,072 Fund: 211 I/O: 1900348 G/L: 431110 Federal Grants

Expenditure

\$ 25,072 Fund: 211 I/O: 1900348 G/L: 525263 Law Enforcement Supplies

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$25,072 from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance.

- c. APPROPRIATION: Byrne/JAG – Youth Engagement Programs Grant- \$99,291 (2nd reading)

APPROPRIATION

**Virginia Department of Criminal Justice Assistance Byrne/JAG Grant # 20-A4904AD16
\$99,291**

WHEREAS, the City of Charlottesville, through the Police Department, has received the Virginia Department of Criminal Justice Assistance Byrne/JAG in the amount of \$99,291 to be used for approved youth engagement program expenses.

WHEREAS, the grant award covers the period from period January 1, 2020 through June 30, 2021

Revenue

\$ 99,291 Fund: 211 I/O: 1900349 G/L: 431110 Federal Grants

Expenditure

\$ 25,278	Fund: 211	I/O: 1900349	G/L: 519999 Sal to/Fr Oth Trans
\$ 43,687	Fund: 211	I/O: 1900349	G/L: 530010 Professional Services
\$ 18,800	Fund: 211	I/O: 1900349	G/L: 530180 Equipment Rental
\$ 2,500	Fund: 211	I/O: 1900349	G/L: 520010 Office Supplies
\$ 9,026	Fund: 211	I/O: 1900349	G/L: 599999 Lump Sum Appropr

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the sum of \$99,291, received from the Virginia Department of Criminal Justice Assistance Byrne/JAG, is hereby appropriated in the following manner:

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the receipt of \$99,291 from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance.

- d. APPROPRIATION: Skate Park lighting donations - \$47,540 (1st of 2 readings)
- e. APPROPRIATION: Transfer from the Historic Resources Committee funds to the examination of possible burials near the Gilmer/Craven/Hotopp Cemetery at Pen Park - \$3,500 (1st of 2 readings)
- f. RESOLUTION: Playground License for Walker Upper Elementary School (1 reading)

**RESOLUTION GRANTING A LICENSE
TO PLACE PLAYGROUND EQUIPMENT AT
WALKER UPPER ELEMENTARY SCHOOL**

WHEREAS, the City of Charlottesville owns the property designated as City of Charlottesville Tax Map Parcel Number 420001000 (hereinafter “the Property”); and

WHEREAS, the Charlottesville City School Board operates Walker Upper Elementary School located on the Property; and

WHEREAS, the Charlottesville City School Board intends to accept a donation of playground equipment which will be located on the Property.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that a license is granted to the Charlottesville City School Board to place and affix playground equipment on the Property.

- g. RESOLUTION: Referral of Accessory Dwelling Unit, Middle Density Zoning, and Affordable Dwelling Unit Zoning Text Amendments to Planning Commission (1 reading)

On motion by Ms. Magill, seconded by Mr. Snook, Council voted unanimously to remove this item from the consent agenda for discussion at the end of the regular meeting.

- h. ORDINANCE: Proposed Amendment to City Code Section 15-435 (b) – vehicle immobilization rates (2nd reading)

**AN ORDINANCE AMENDING AND REORDAINING SECTION 15-435 (b), OF
CHAPTER 15 OF THE CODE OF CHARLOTTESVILLE, 1990, AS AMENDED,
RELATING TO A CHANGE TO RATES AND CHARGES FOR THE
IMMOBILIZATION OF VEHICLES UNLAWFULLY PARKED ON PRIVATE
PROPERTY**

Ms. Walker opened the floor for public comment on the Consent Agenda. No one came forward to speak.

On motion by Ms. Hill, seconded by Mr. Snook, Council by the following vote APPROVED the Consent Agenda, removing item “g” for discussion at the end of the regular meeting: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: None).

CITY MANAGER RESPONSE TO COMMUNITY MATTERS (FROM PREVIOUS MEETINGS)

City Manager Tarron Richardson shared updates for the following items:

1. Regarding a criminal incident on December 28, 2018 on the Downtown Mall, the suspect pled guilty and will be sentenced.
2. Regarding the offer to purchase certain statues in public spaces, the City will wait to see what State legislation is adopted before exploring options.

COMMUNITY MATTERS

Ms. Janette Kawachi ceded her time to Ms. Emily Dreyfus, who spoke on behalf of Charlottesville Low-Income Housing Coalition. She shared information about a jazz concert to benefit the Public Housing Association of Residents. She spoke about the rent relief program, Housing Advisory Committee needs, and the need for diversity on the Steering committee for the Comprehensive Plan, Affordable Housing Strategy and Zoning Ordinance overhaul.

Mr. Jeffrey Jaeger spoke about needed improvements to City facilities, in particular Police facilities with historically unhealthy conditions. He shared photos.

Ms. Elaine Poon with the Legal Aid Justice Center spoke about the community equity budget requests and addressed the housing proposal on the agenda. She shared the importance of the Housing Advisory Committee and asked Council to continue supporting it.

Mr. Cordell Fortune, local business owner, shared information about The Fortune Shop African-American Vendors’ Market being held on March 7 at Carver Recreation Center, and monthly thereafter.

Mr. Garrett Trent ceded his time to Ms. Joy Johnson, who spoke against disbanding the Housing Advisory Committee.

Mr. Don Gathers, City resident, spoke about transparency in how policies are made regarding affordable housing and the Housing Advisory Committee. He spoke in support of additional staffing for firefighters, and about parking permits in various neighborhoods.

Mr. Greg Wright, President of the Charlottesville Professional Firefighters Association, spoke in support of Police Department needs presented, and concerns about staffing needs for the Charlottesville Fire Department.

Mr. Dan Rosensweig, City resident and member of the Housing Advisory Committee, spoke about affordable housing and in support of sending the Incentive Zoning Provisions and Zoning Text Amendments to the Planning Commission and Housing Advisory Commission for

review. He listed several items on the proposal (Agenda Item 1g) and gave reasons for not sending to the Planning Commission.

Officer David Curtis, Patrol Officer for the Charlottesville Police Department, spoke about the loss of staffing and about a dramatic decrease in the receipt of applications for police positions. He also advised that the fleet is insufficient and unreliable.

Officer Grant Davis of Charlottesville Police Department advised that the loss of experienced officers makes the city less safe. He asked for the following incentives for police officers: competitive pay, pay scale in place, take home car program, and improved facilities.

Ms. Katrina Turner, City resident, on behalf of the People's Coalition spoke about the budget requests for the Police Civilian Review Board and the Adult Disproportionate Minority Contact report.

Mr. Andy Soccodato spoke as a City of Charlottesville Firefighter, about the need for additional staffing for the Fire Department, according to national industry standards.

Ms. Marty Bass, City resident, spoke about the Barracks Road – Emmet Street intersection project and shared a list that she created of flaws in the plan, as well as a handout with her suggestions.

Reverend George Gohanna, President of the Rose Hill Neighborhood Association, requested naming the poolhouse at Washington Park after Elizabeth “Ms. Snookie” Harrison, who was a cornerstone of the pool from the 1950s to the 1970s, preserving the history.

Mr. Tom Gallagher, City resident, spoke against the 10-foot proposed mixed-use pathway at Barracks Road, based on lack of enough mixed-use traffic. He advised that an 8-foot path would suffice and save trees.

Mr. Charles Kendig, City resident, spoke about the role of the City Manager and the standards for performance and associated goals. He spoke about the salary study, best practices, budget surplus, and bottom line accountability of the City Manager.

- Ms. Walker advised of an upcoming annual review for the City Manager, and about the use of a Measurements and Solutions Group.

Ms. Walker closed public comment.

The meeting recessed at 7:41 p.m.

The meeting reconvened at 8:05 p.m.

2. RESOLUTION*: Harris Street Apartments special use permit (1st of 2 readings)

Mr. Brian Haluska, Principal Planner for the City of Charlottesville, presented the special use permit request. The Planning Commission recommended approval with no changes to the staff recommendation.

The applicant shared information about the project and the affordable housing component. He requested an allowance of an additional 10 feet in height.

This item was updated to two readings at the request of the mayor.

Councilors made comments and asked clarifying questions.

The item moved forward to the March 16 consent agenda, with dissent from Ms. Walker, and agreement from other councilors.

3. RESOLUTION: Barracks/Emmet Intersection Improvements as related to for the proposed Barracks Road & Emmet Street Intersection Improvement Smart Scale Project (1 reading)

Mr. Kyle Kling, Transportation Project Manager with the Department of Public Works, introduced the report and turned over the project presentation to Mr. Brian Copeland of the Timmons Group.

Mr. Copeland shared information about the project scope and schedule, public engagement process, conceptual design, Planning Commission input, and recommendation.

Councilors made comments and asked clarifying questions.

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

**RESOLUTION
FINDING THAT THE PROPOSED BARRACKS/EMMET IMPROVEMENT
PROJECT IS SUBSTANTIALLY IN ACCORDANCE WITH THE
CITY'S COMPREHENSIVE PLAN**

WHEREAS, on February 11, 2020, after notice given as required by law, the Charlottesville Planning Commission and Charlottesville City Council jointly conducted a public hearing to review the preferred conceptual design of the Barracks/Emmet Improvement Project ("Project") for consistency with the Comprehensive Plan for the City of Charlottesville (2013) ("Comprehensive Plan"); and

WHEREAS, on February 11, 2020, the Planning Commission adopted a resolution approving the general or approximate location, character and extent of the Project as being substantially in accord with the Comprehensive Plan; now, therefore,

BE IT RESOLVED that, upon consideration of the Planning Commission's recommendation, the City Council hereby concurs with the Planning Commission's approval of the general or approximate location, character and extent of the Project as being substantially in accord with the Comprehensive Plan. Upon the adoption of this Resolution, staff is hereby authorized to proceed with final design of the Project for construction.

4. REPORT: United States Census 2020 oral report

Ms. Kathy O'Connell, Partnership Specialist with the United States Census Bureau, made a presentation encouraging everyone in Charlottesville to respond to the survey, as the Census will impact services, infrastructure, representation, and funding.

5. REPORT: City Schools Budget Presentation

Ms. Jennifer McKeever, Charlottesville School Board Chair introduced the report and shared concern over the City Manager's proposed budget. She turned the presentation over to Dr. Rosa Atkins, Schools Superintendent, and Ms. Kim Powell, Assistant Superintendent, who shared an overview of revenues, expenses and recommendations.

Council asked clarifying questions and shared feedback.

Ms. Walker advised of upcoming budget worksessions.

The meeting recessed at 10:04 p.m.

The meeting reconvened at 10:10 p.m.

6. REPORT: City Manager Budget Presentation

City Manager Tarron Richardson presented the Fiscal Year 2021 budget proposal. He opened the presentation by thanking Budget staff Ryan Davidson and Krisy Hammill for their work over the past few months to put together the budget proposal, and acknowledging the award-winning Budget presentations over the years.

Dr. Richardson shared the following major budget themes for FY 2021:

- Affordable housing
- Race and equity
- Workforce development and economic development
- Safety and security
- Compensation and benefits
- City Schools
- General Fund transfers to debt service and Capital Improvement Program (CIP)
- Service enhancements and efficiencies
- Outside and nonprofit agencies

Council asked clarifying questions and staff noted that upcoming worksessions would address specific areas such as outside agency funding, tax rates, affordable housing, and the Capital Improvement Program, among other topics.

1.g. RESOLUTION*: Referral of Accessory Dwelling Unit, Middle Density Zoning, and Affordable Dwelling Unit Zoning Text Amendments to Planning Commission (1 reading)

This item was pulled from the Consent Agenda for discussion at end of the regular meeting.

Ms. Magill expressed concern about sending the full item to the Planning Commission without further information, as it appears there are three separate items to consider.

Mr. Snook advised that during the 100-day Planning Commission consideration period, Council could actively engage to learn more about the item.

Ms. Walker shared that the process would require Council and the public to be engaged in the process until the item comes back to Council for a decision. She addressed concerns about input from the Housing Advisory Committee.

Mr. Blair addressed the enabling legislation.

Mr. Payne echoed comments made by Ms. Magill.

On motion by Mr. Snook, seconded by Ms. Hill, Council by the following vote APPROVED the resolution, with instruction to be involved with the Planning Commission in meetings and discussions for drafting of the proposal, with expressed opinion from the Housing Advisory Committee: 3-2 (Ayes: Hill, Snook, Walker; Noes: Magill, Payne).

OTHER BUSINESS

There were no items.

MATTERS BY THE PUBLIC

Ms. Walker opened the floor for public comment.

Ms. Edith Good, resident, asked about funding for subsidized housing scheduled to end in November 2021.

- Mr. John Sales, Housing Coordinator, shared information and advised that he has reached out to administrators for information on how to maintain the affordability.

Ms. Sheila Herlihy shared information about IMPACT (Interfaith Movement Promoting Action by Congregations Together), and a letter sent to City Council earlier in the day. She spoke about funding and investment for affordable housing.

Ms. Joy Johnson spoke about the formation of the Housing Advisory Committee as a policy committee, and guarded against disbanding the group.

Mr. Caetano de Campos Lopes, with the Charlottesville Climate Collaborative, spoke about affordable housing as related to energy costs, and advised that a better transportation system would ultimately help with firefighters.

Mr. Walt Heinecke spoke in support of budget requests from teachers, police and firefighters; however, advised that the City has to weigh budget priorities related to commitments to affordable housing.

The meeting adjourned at 12:11 a.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council