

CITY COUNCIL MEETING
February 16, 2021
Virtual/electronic meeting via Zoom

4:00 PM WORK SESSION

Pursuant to Virginia Code Section 2.2-3712, the Charlottesville City Council met in work session on Tuesday, February 16, 2021, to hear reports. The meeting was held electronically pursuant to local ordinance #O-20-154a adopted December 10, 2020, to ensure the continuity of government and prevent the spread of disease during the coronavirus pandemic.

Mayor Walker called to order at 4:04 p.m. and Clerk of Council Kyna Thomas called the roll, noting the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, and Councilors Heather Hill, Michael Payne, and Lloyd Snook.

REPORTS

1. Report: Monthly Financial Report

Ryan Davidson, Senior Budget and Management Analyst, made the presentation and advised that not much changed from the prior month forecast. Council questions about taxes were answered by Ryan Davidson and Commissioner of the Revenue Todd Divers.

2. Report: Thomas Jefferson Area Community Criminal Justice Board report

Vice Mayor Magill introduced Neal Goodloe, Criminal Justice Planner, who presented the report. He noted an increase in the City of Charlottesville population over the last decade and shared trends in crimes and bookings. He concluded the following:

- Reported crime in all three major categories has fallen significantly in Charlottesville over the past decade.
- Charlottesville's share of bookings and bed days expended at ACRJ has also dropped significantly, compared to the other two member jurisdictions (Albemarle and Nelson).
- Increases in felony bookings and bed days expended are associated almost exclusively with inmates age 50 or older. Incarceration rates among 18-24 year-olds have dropped sharply.
- The average length of a Charlottesville inmate's stay has dropped significantly, resulting in fewer bed days expended at ACRJ over the decade.
- Felony probation violations remain the most expensive charge type, in terms of bed days expended. However, the number of bed day expenditures associated with a felony probation violation have fallen in recent years.

- Charlottesville is the only CCJB member jurisdiction that had a per capita decrease in jail bed day costs from 2010 to 2019.

Mr. Goodloe answered questions from Council.

3. Housing Plan Report

Cville Plans Together consultants Jennifer Koch, Sarah Kirk and Phillip Kash with HR&A, made the presentation, noting that since December, several revisions were made to the Affordable Housing Plan based on community, Steering Committee, Council, Planning Commission, and staff feedback, the most significant of which were:

- The addition of an overview of the recommended timeframe of implementation for tool recommendations (starting on page 18).
- Clarifications and messaging adjustments on the \$10M annual budget for affordable housing, to recognize current financial commitments in the coming years as well as the need for potential additional revenue sources (starting on page 49).
 - Page 51 demonstrates the scale of Charlottesville's current commitment relative to other cities.
- Additional recommendations and details related to affordable homeownership strategies (in summary on page 17 and in more detail starting on page 134).
- More detail about opportunities for regional collaboration & strategies to directly address racial equity in the introduction (starting page 24).
- Additional context related to the housing challenges section (starting page 36).
- Inclusion of energy efficiency, aging in place, and support for those with disabilities as part of subsidies for owner-occupied rehabilitation (page 147).
- Additional support for energy efficiency for multifamily projects through the acquisition fund (page 120).
- Additional focus on the potential for a regional housing body (page 164), as well as a joint regional funding agreement (page 67).
- Clarifications around the potential for increased tenants' rights for cases in which the City is contributing funds (page 100).

Consultants answered questions for Council and advised that they could provide more data via email at Council request. Mayor Walker asked for an individual meeting with consultants to review her questions.

The meeting adjourned at 5:43 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

5:30 PM CLOSED MEETING

The Charlottesville City Council met in an electronic meeting on Tuesday, February 16, 2021, in accordance with local ordinance #O-20-154a, adopted December 10, 2020, to ensure continuity of government and prevent the spread of disease during the coronavirus pandemic. Mayor Nikuyah Walker called the meeting to order at 5:43 p.m. with the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, and Councilors Heather Hill, Michael Payne and Lloyd Snook.

On motion by Councilor Hill, seconded by Councilor Magill, Council voted 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none) to convene in closed session as authorized by Virginia Code Sections 2.2-3711 and 2.2- 3712, specifically:

- Section 2.2-3711(A)(1) for discussion and consideration of candidates for appointment to the Police Civilian Review Board,
- Section 2.2-3711(A)(7) for consultation with legal counsel regarding specific contractual claims and probable litigation, as well as the pending litigation with Albemarle County regarding recreational use of Ragged Mountain Reservoir, and
- Section 2.2-3711(A)(8) for consultation with legal counsel regarding the February 3, 2021 Memo to City Council from the Acting City Attorney.

On motion by Councilor Hill, seconded by Councilor Magill, Council certified by the following vote: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none.), that to the best of each Council member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the Motion convening the closed session were heard, discussed or considered in the closed session.

The meeting adjourned at 6:57 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council

6:30 PM REGULAR MEETING

The Charlottesville City Council met in an electronic meeting on Tuesday, February 16, 2021, in accordance with local ordinance #O-20-154a, adopted December 10, 2020, to ensure continuity of government and prevent the spread of disease during the coronavirus pandemic. Mayor Nikuyah Walker called the meeting to order at 6:58 p.m. with the following members present: Mayor Nikuyah Walker, Vice Mayor Sena Magill, and Councilors Heather Hill, Michael Payne and Lloyd Snook.

City Council observed a moment of silence.

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

ANNOUNCEMENTS

Mayor Walker welcomed new City Manager Chip Boyles.

RECOGNITIONS/PROCLAMATIONS

Vice Mayor Magill read a Resolution of Appreciation for Benefit Program Specialists Month.

BOARD/COMMISSION APPOINTMENTS

Councilor Payne remarked that interviews for the Police Civilian Review Board would be scheduled for the upcoming week in a special meeting.

CONSENT AGENDA*

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

1. MINUTES: January 19 special meeting, January 28 Schools budget work session, February 3 budget work session
2. APPROPRIATION: Housing Opportunities for People with AIDS/H.I.V. (H.O.P.W.A.) Grant Award - \$20,000 (2nd reading)

APPROPRIATION

**Housing Opportunities for People with AIDS/H.I.V. Grant
\$20,000**

WHEREAS, The City of Charlottesville, through the Department of Human Services, has received the H.O.P.W.A. Grant from the Virginia Department of Housing and Community Development in the amount of \$20,000

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the sum of \$20,000 is hereby appropriated in the following manner:

Revenues

\$20,000 Fund: 209 IO: 1900390 (H.O.P.W.A.) G/L: 430120 Federal Pass-Thru State

Expenditures

\$20,000 Fund: 209 IO: 1900390 (H.O.P.W.A.) G/L: 530550 Contracted Services

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon receipt of \$20,00 in funds from the Virginia Department of Housing and Community Development.

- 3. **APPROPRIATION: 2020 Local Emergency Management Performance Grant – Supplemental (EMPG-S) - \$99,608 (2nd reading)**

APPROPRIATION

**2020 Local Emergency Management Performance Grant – Supplemental (EMPG-S)
\$99,608.00**

WHEREAS, the Virginia Department of Emergency Management (VDEM) and the U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA) has awarded a 2020 Local Emergency Management Performance Grant (LEMPG) CFDA 97.042 to the Fire Department, through the City of Charlottesville, specifically for a mobile vaccination and testing van;

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that a total of \$99,608.00 be appropriated in the following manner:

Expenditure Transfer from:

\$49,804.00 Fund: 106 Cost Center: 3201001001 G/L Account: 561209

Revenues - \$99,608.00

\$49,804.00 Fund: 209 I/O: 1900398 G/L Account: 430120

Transfer to:

\$49,804.00 Fund: 209 I/O: 1900398 G/L Account: 498010

Expenditures - \$99,608.00

\$49,804.00 Fund: 209 I/O: 1900398 G/L Account: 599999

Transfer to:

\$49,804.00 Fund: 209 I/O: 1900398 G/L Account: 599999

BE IT FURTHER RESOLVED, that this appropriation is conditioned upon the reimbursement of funds from the Virginia Department of Emergency Management.

4. RESOLUTION: Community Development Block Grant 2020-2021 Albemarle Home Improvement Program Contingency Plan: 2020-2021 Minor Annual Action Plan Amendment

RESOLUTION

Approval of FY 2020-2021 Minor Annual Action Plan Amendment

BE IT RESOLVED, that the Charlottesville City Council hereby approves the FY 2020 - 2021 Minor Action Plan Amendment of the 2018-2022 Consolidated Plan. The contingency plan for Albemarle Home Improvement Program (AHIP) will assist the City and the subrecipient meet CDBG timeliness goals. The remaining 2020-2021 CDBG AHIP balance is to be spent on one home rehabilitation project.

5. RESOLUTION: City Market Sublease 2021

RESOLUTION

APPROVING CITY MARKET SUBLEASE 2021

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia, that the proposed sublease between the City of Charlottesville and Skyview Parking, LLC, for a term beginning April 1, 2021, and concluding on December 18, 2021, is hereby approved.

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

On motion by Councilor Hill, seconded by Councilor Snook, Council by a vote of 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none) APPROVED the Consent Agenda, pulling Item #4 for a separate vote at the request of Mayor Walker.

On motion by Councilor Hill, seconded by Councilor Snook, Council by a vote of 4-1 (Ayes: Hill, Magill, Payne, Snook; Noes: Walker) APPROVED the resolution for Community Development Block Grant 2020-2021 Albemarle Home Improvement Program Contingency Plan: 2020-2021 Minor Annual Action Plan Amendment.

CITY MANAGER RESPONSE TO COMMUNITY MATTERS

City Manager Chip Boyles had no remarks. This was his first City Council meeting as Charlottesville City Manager.

COMMUNITY MATTERS

The following members of the community spoke:

Jessica Manly city resident, spoke about the need for an overpass or lighted crosswalk and better sidewalks at High St./ Hazel St.

Betsy L. Roettger spoke about Council credit card policy. She asked that the credit card policy include a way to offer gifts to community members to encourage participation.

Josh Carp, city resident, spoke in opposition to a new downtown parking structure. about Capital Improvement Plan Budget

Myra Anderson, city resident, spoke about the need to solicit feedback from the African-American community and descendant families of enslaved people before designing a new Slave Auction Block Marker or an Enslavement Museum.

Don Gathers, city resident, requested that Council consider taking care of people before taking care of infrastructure projects, noting that two homeless people died in the city during a recent winter weather event. He also spoke about recent issues involving Council credit card spending and spoke in support of compensating citizens for their time.

Dr. Wes Bellamy, city resident, spoke about "Stop the Violence" training and thinking outside the box to solve community issues.

Tanesha Hudson spoke about credit card usage by City Council and treatment of Mayor Walker.

Emily Dreyfus, speaking on behalf of the Legal Aid Justice Center, asked Council to keep affordable housing a budget priority.

Mayor Walker made comments about the February 3, 2021, memo from Acting City Attorney Lisa Robertson and her desire to have a public discussion. Councilor Hill spoke in support of a system of checks and balances. Councilor Snook spoke in support of a Council spending policy and about his recent comments on a slush fund.

The meeting recessed at 7:51 p.m. and reconvened at 8:08 p.m.

Mayor Walker advised that she was interested in following up on the comments from Don Gathers to prevent similar deaths from occurring in the future.

ACTION ITEMS

PUBLIC HEARING: FY2020-2021 CDBG Substantial Action Plan Amendment and Reprogramming 2019 CDBG funds for COVID-19 Public Services (carried)

- a. Appropriation of Funds for 2020-2021 Community Development Block Grant COVID Rental Relief - \$244,950.82
- b. Approval of FY 2020-2021 Substantial Action Plan Amendment of the 2018-2022 Consolidated Plan

Erin Atak, Grants Coordinator, provided a summary of the request and answered a clarifying question for Vice Mayor Magill.

Mayor Walker opened the public hearing and the following community members spoke:

- Brandon Collins, resident and board member for Public Housing Association of Residents (PHAR), spoke in support of the Housing Authority application through the rent relief program.
- Peter Krebs, city resident, spoke in support of the Franklin Sidewalk Project.

Mayor Walker closed the public hearing.

Councilor Hill asked about delays in the project. Tim Motsch, Franklin Street Sidewalks Program Coordinator, was able to provide input about stormwater management issues that were affecting the project.

Council agreed to carry the item forward to the March 1, 2021 consent agenda.

ORDINANCE: Local COVID Ordinance Status Review

Councilor Snook introduced the item, noting recent requests made by Little League. He reviewed two options: amending the City ordinance in place or rescinding the local ordinance in order to align with State regulations.

Mayor Walker made remarks in favor of being mindful of ensuring safety for employees who would be affected by less restrictive Covid-19 measures and being placed in higher-risk areas, as well as providing them with health benefits.

Acting City Attorney Lisa Robertson provided additional information about options for ordinance wording.

Todd Brown, Director of Parks and Recreation, spoke about other programs that would be considered once a decision about Little League was made. He shared thoughts about employee status of those who would normally hold jobs involved with department programming.

Councilor Hill shared mental health benefits of outdoor play and concerns about staying in alignment with the County of Albemarle.

Councilor Payne spoke in support of amending the ordinance to align with the Governor's orders on outdoor activities.

Mayor Walker shared information about local sports teams that had to end their seasons because of exposure to Covid-19.

Vice Mayor Magill spoke in favor of aligning with Albemarle County.

On motion by Councilor Hill, seconded by Councilor Snook, Council by a vote of 4-1 (Ayes: Hill, Magill, Payne, Snook; Noes: Walker) APPROVED the Ordinance.

ORDINANCE TO AMEND AND RE-ENACT THE ORDINANCE ADOPTED ON DECEMBER 10, 2020 TO PREVENT THE SPREAD OF THE NOVEL CORONAVIRUS, SARS-CoV-2, AND THE DISEASE IT CAUSES, COMMONLY REFERRED TO AS COVID-19.

Mayor Walker advised of a need to have a broader conversation about employees.

RESOLUTION: Regional Equity Joint Memorandum of Understanding

Kaki Dimock, Director of Human Services, shared an updated Memorandum of Understanding, previously introduced in October 2020. She advised of an additional meeting on February 19 among City, County and University staff.

On motion by Councilor Snook, seconded by Vice Mayor Magill, Council by the

following vote APPROVED the resolution: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none).

RESOLUTION

WHEREAS, the City of Charlottesville, the County of Albemarle, and the University of Virginia are committed to the provision of quality services to our entire community regardless of ethnicity, race, color, sex, sexual orientation, religion, language competence, socioeconomic status, physical health, mental health, disability, gender identification or expression, age, cognitive ability, physical ability, cultural affiliation, national or ethnic origin, immigration status, family structure, veteran status, political affiliation, or employment status; and

WHEREAS, the City, the County, and the University are uniquely poised to promote an equitable and welcoming community by increasing accessibility, promoting unity, and honoring diversity; and

WHEREAS, the City, the County, and the University recognize and affirm their shared responsibility in advancing equity and inclusion in our regional community and seek to work in partnership to achieve their mutual goals; and

WHEREAS, the City, the County, and the University recognize the importance of collaboration in creating a more equitable, inclusive, and welcoming community; and

WHEREAS, while the City, the County, and the University recognize that each locality's first and main priority is to serve the residents of their own jurisdictions, we pledge to:

- Evaluate current programs and policies and modify appropriately to address deficiencies
- Collectively invest, with allocated resources, in supporting programs and initiatives
- Set measurable goals and monitor progress of diversity, equity, and inclusion efforts
- Use available tools (such as the Equity Atlas and impact assessment tools) to support data-informed decision making
- Deepen our commitment to improved inclusivity and equity in the communities we serve
- Evaluate services and relationships through an equity lens that affect our communities
- Identify underserved communities through outreach and community partnership
- Implement programs and develop partnerships that close opportunity gaps
- Work to achieve alignment in both priorities and strategies employed to improve regional outcomes
- Designate resources including staff member(s) assigned to promote success

NOW, THEREFORE, BE IT RESOLVED that the City Council of Charlottesville hereby agrees to this Memorandum of Understanding committing to developing and enacting plans to identify mutually beneficial ways to cooperate and communicate where possible.

This Memorandum of Understanding shall begin on the date of signatures by the Mayor of the City of Charlottesville, the Chair of the Board of Supervisors of Albemarle County, University of Virginia President James Ryan as authorized by their respective bodies.

RESOLUTION: Interrupt the Violence donation

Mayor Walker introduced the request and advised that a training took place earlier in the day. She shared background on the initiative and impacts of violence on families. Se advised of a need to adjust the original request to accommodate for the purchase of a meal during training.

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

RESOLUTION

ALLOCATING CITY COUNCIL STRATEGIC INITIATIVES FUNDING TO SUPPORT AN “INTERRUPT THE VIOLENCE” TRAINING PROGRAM PROVIDED TO CITY RESIDENTS

BE IT RESOLVED by the City Council of the City of Charlottesville, Virginia, pursuant to authority set forth within Virginia Code §15.2-953, THAT a charitable donation is hereby approved to be made to Guns Down, Inc., a 501(c)(3) corporation organized under the laws of the state of New York, in the amount of \$20,480.00, said donation of funds to be used exclusively for and in support of the “Interrupt The Violence” training services to be provided to residents of the City of Charlottesville by various stakeholders on February 16-20, 2021.

BE IT FURTHER RESOLVED that the aforesaid amount shall be paid to Guns Down, Inc. from currently-appropriated funds in the City Council Strategic Initiatives account in the General Fund, in support of the local Interrupt The Violence Training Program, as follows:

\$ 20,480.00 Fund: 105 Cost Center: 10110010000

GENERAL BUSINESS

REPORT: Street Designation Policy and Marker update

Jeff Werner, Historic Preservation & Design Planner, introduced the report and presented the

recommendations from the Historic Resources Commission (HRC). Councilors thanked HRC members for their work.

Councilor Payne asked about comments that were made specifically about the Henry Martin Way application. Rachel Lloyd, Chair of the HRC, was able to add context to recommendations made by the committee.

Councilor Hill suggested a meeting between Council and the HRC to provide direction on the scope of the committee.

On motion by Vice Mayor Magill, seconded by Councilor Snook, Council agreed unanimously to vote on honorary street designations for Black History Pathway and Byers Snookie Way.

On motion by Councilor Hill, seconded by Vice Mayor Magill, Council by the following vote APPROVED honorary street designations for Black History Pathway and Byers Snookie Way: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none).

DISCUSSION: Capital Improvement Plan projects (continued from 2/3/21 budget work session and 2/9/21 Planning Commission hearing)

Mayor Walker began the discussion and Councilor Hill provided a summary of recent activity. City Manager Boyles shared information from recent meetings with Albemarle County Administrator Jeff Richardson and Chris Engel, Director of Economic Development regarding downtown parking. He advised that the agreement with the County would be honored; however, the way it would be honored would be further reviewed; and further evaluation of parking needs during and post-Covid would be needed. Councilors shared the desire to have a comprehensive review of parking needs. Mr. Boyles advised that time would be needed to reassess and look at transit solutions.

Mayor Walker asked whether the existing businesses would be able to remain past the originally expected October 2021 lease end dates. Chris Engel advised that delays could have adverse impacts.

Councilor Snook spoke in support of moving funds from the Market Street Garage project to the West Main Streetscape project.

Mayor Walker asked about funding for other priorities like signalization. She emphasized the need to link priorities to projects.

Councilors discussed the amount of time, funds and public engagement involved in the West

Main Streetscape Project, and discussed unknowns surrounding the capital budget for Schools and the East Main Street Garage project.

Staff provided answers to Council questions about timing, Virginia Department of Transportation (VDOT) funding, and the agreement with UVA for funding related to Stage 4 of the West Main Streetscape Project. Regarding the Parking Garage, the timeline would be based on the Memorandum of Agreement with the County. Mr. Boyles advised that the City would have to discuss timelines with VDOT. Director of Public Works David Brown advised that staff is continuing to move forward and would need to evaluate scope changes if funding is reduced. Director of Economic Development Chris Engel shared information about the parking structure project timeline and advised that a minor delay could be accommodated, but a substantial delay would impact the project plans. City Engineer Jack Dawson advised of right-of-way requirements and advised that delays would impact negotiations with VDOT.

Mr. Boyles advised that staff would continue working and bring back a recommendation or options for Council to consider at a meeting in early April.

Krisy Hammill advised that budget decisions would need to be made according to budget deadlines, as the budget proposal was being firmed for presentation on March 1, and final budget to be adopted in April.

DISCUSSION: Credit Card Policy

Council discussed holding a work session to develop the credit card policy for Council. The date of March 23, 2021, at 3:00 p.m. was selected for the work session.

OTHER BUSINESS

On motion by Councilor Hill, seconded by Vice Mayor Magill, Council by the following vote authorized Acting City Attorney Lisa Robertson to authorize the law firm of Zunka, Milnor & Carter to represent the City in connection with the Court's hearing of all of the pending motions, scheduled for March 1, 2021, in the litigation with Albemarle County over recreational uses of Ragged Mountain Reservoir: 5-0 (Ayes: Hill, Magill, Payne, Snook, Walker; Noes: none).

MATTERS BY THE PUBLIC

Ang Conn spoke of her disappointment with Council focusing discussion on the building of a new parking garage and advised Council to focus on helping people.

Pastor Marvin Morgan spoke about a proposed Court Square Enslavement Museum. Councilor Hill provided a response about engagement with the descendant community.

Yasmine Washington asked whether reconfiguration for Buford and Walker had been considered separately. Mayor Walker replied that feedback from the consultants would determine the discussion of priorities.

Don Gathers spoke about black leaders being targeted. He also asked about the status of Black Lives Matter Boulevard honorary designation.

Rory Stolzenberg commented on Council's earlier discussion about delay of the parking structure at 7th and Main and encouraged evaluation of all options.

Tanesha Hudson spoke about race issues with treatment of black people in leadership positions.

Mayor Walker advised of the need to improve communication and to address concerns when they are brought to light. Councilors agreed that there is a need to create a healthier environment.

The meeting adjourned at 10:56 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council